

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.6072 Eviction of purchaser; recovery of purchase price; further execution for benefit of purchaser; validity of original judgment.

Sec. 6072.

(1) If the purchaser of any real estate, sold by virtue of an execution, his heirs or assigns, shall be evicted from the possession of such real estate, or if in an action for the recovery thereof, judgment shall be rendered against him or them, in consequence:

(a) Of any irregularity in the proceedings concerning such sale; or

(b) Of the judgment upon which such execution issued being vacated or reversed; such purchaser, his heirs or assigns, may recover of the party for whose benefit such real estate was sold, the amount paid on the purchase thereof, with interest.

(2) The party for whose benefit such real estate was sold, and his personal representatives, upon such recovery being had against him in consequence of any irregularity in the proceedings concerning the sale, may have further execution upon the judgment by virtue of which such sale was made, to levy the amount paid on such sale, with interest.

(3) Such judgment shall be deemed valid and effectual for the purpose specified in subsection (2) of this section, against the defendant therein, his personal representatives, heirs, and devisees, but not against any purchaser in good faith, or any incumbrancer by mortgage, judgment or otherwise, whose title or incumbrance shall have accrued before the levy of such further execution.

History: 1961, Act 236, Eff. Jan. 1, 1963