

§ 701. Direction and execution of mandates. (a) In an action or proceeding brought in the court, all processes and mandates may be served or executed only within the city of New York unless this act otherwise provides. They shall be served or executed by the sheriff of the city of New York or by a city marshal. Where this act empowers the court's process or mandate to be served or executed without the city of New York, it shall be served or executed by such officer as could serve or execute the process or mandate of the supreme court of the county in a like instance.

(b) The provisions of law applicable in supreme court practice, relating to the execution of mandates by a sheriff and the power and control of the court over the sheriff executing the same, shall apply in this court; and they shall apply equally to both sheriffs and marshals.

(c) In any instance where a return by the enforcement officer is required by law to be made to the court or the clerk thereof, such provision shall be deemed to refer to this court in that county out of which the process or mandate issued, or the clerk of this court in such county, as the case may be.

(d) In a case where a marshal serves or executes the process or mandate of the court, the return or certificate of a marshal and the service of a paper by him shall have the same force and effect as the like return, certificate or service of or by a sheriff.

(e) Nothing herein contained shall be construed to prevent the service of a summons, petition, notice of petition, subpoena or other paper by any person who might serve the same in a like instance in the supreme court.