

or it may make such other order as may be just.

23.

(a) No person who has received, or whose assignor has received under a contract for the purchase of real or personal property, or of lease or bailment with a view to purchase of such property, a deposit or instalment of the purchase price from a person in [civil defense] EMERGENCY MANAGEMENT AND CIVIL DEFENSE service or a person suffering injury or damage or from the assignor of such a person, who after the date of payment of such deposit or instalment, has become a person in [civil defense] EMERGENCY MANAGEMENT AND CIVIL DEFENSE service or a person suffering injury or damage, shall exercise any right or option under such contract to rescind or terminate the contract or resume possession of the property for nonpayment of any instalment falling due during the period of being in such category, except by action in a court of competent jurisdiction. Provided, that nothing contained in this section shall prevent the modification, termination, or cancellation of any such contract, or prevent the repossession or retention of property purchased or received under such contract, pursuant to a mutual agreement of the parties thereto, or their assignees, if such agreement is executed in writing subsequent to the making of such contract and during or after the period of military service of the person concerned.

(c) Upon the hearing of such action the court may order the repayment of prior instalments or deposits or any part thereof, as a condition of terminating the contract and resuming possession of the property, or may, in its discretion, on its own motion, and shall, except as provided in § 25, on application to it by a person in [civil defense] EMERGENCY MANAGEMENT AND CIVIL DEFENSE service or a person suffering injury or damage or some person on his behalf, order a stay of proceedings as provided in this subtitle unless, in the opinion of the court, the ability of the defendant to comply with the terms of the contract is not materially affected by reason of such service; or it may make such other disposition of the case as may be equitable to conserve the interests of all parties.

24.

(a) The provisions of this section shall apply only to obligations originating prior to the time any person became a person in [civil defense] EMERGENCY MANAGEMENT AND CIVIL DEFENSE service or a person suffering injury or damage and secured by mortgage, trust deed, or other security in the nature of a mortgage upon real or personal property owned by a person in [civil defense] EMERGENCY MANAGEMENT AND CIVIL DEFENSE service or a person suffering injury or damage at the commencement of the period of his being in such category, and still so owned by him.