

(c) Add words in brackets () if supervision order is asked for.

(e) This note will be unnecessary if the company is petitioner.

(c) (That the voluntary winding up of the _____ Company, Limited, may be continued, but subject to the supervision of the Court).
(2) Or that such other order may be made in the premises as shall be just.

Note.—(c) It is intended to serve this petition on _____

Form 2.

(Rule 6.)

Petition by unpaid Creditor on Simple Contract.

(Title.)

Paragraphs 1, 2, 3, and 4 as in No. 1.

(a) State consideration for the debt, with particulars so as to establish that the debt claimed is due.

5. The company is indebted to your petitioner in the sum of Rs. _____ for (a) _____

6. Your petitioner has made application to the company for payment of his debt, but the company has failed and neglected to pay the same or any part thereof.

7. The company is [insolvent and] unable to pay its debts.

8. (Statements of assets where necessary).

9. In the circumstances it is just and equitable that the company should be wound up.

Your petitioner, therefore, &c. [as in No. 1.]

Form 3.

(Rule 7.)

Advertisement of Petition.

(Title.)

(a) If the winding-up is to be subject to supervision insert instead of "by" the words "subject to the supervision of".
(b) Insert name and address of petitioner.

Notice is hereby given that a petition for the winding up of the above-named company by (a) the District Court of _____ or, as the case may be, on the _____ day of _____, 19____, presented to the said Court by (b) _____, And that the said petition is directed to be heard before the Court on the _____ day of _____, 19____; and any creditor or contributory of the said company desirous to support or oppose the making of an order on the said petition may appear at the time of hearing in person or by his counsel or proctor for that purpose; and a copy of the petition will be furnished to any creditor or contributory of the said company requiring the same by the undersigned on payment of the prescribed charge for the same.

Signed (c) _____ Name _____ Address _____

Note.—Any person who intends to appear on the hearing of the said petition must serve on or send by post to the above-named _____ (insert name of petitioner, or his proctor) notice in writing of his intention so to do. The notice must state the name and address of the person, or, if a firm, the name and address of the firm, and must be signed by the person or firm, or his or their proctor (if any) and must be served, or if posted, must be sent by post in sufficient time to reach the above-named not later than _____ (d) o'clock in the afternoon of the _____ of _____, 19____.

(c) To be signed by the proctor of the petitioner or by the petitioner if he has no proctor.
(d) If the day appointed for the hearing of the petition is a Monday then 1 P.M., on the Saturday, previous to such Monday; if the day appointed for the hearing is on any other day then 4 P.M., on the day immediately preceding the day so appointed.

(a) Insert full name, title, &c., of _____
(b) State the full address of the registered office so as to sufficiently show the district in which it is situate.

Form 6.

(Rule 9.)

Affidavit Verifying Petition.

(Title.)

I, A. B., of &c., make oath and say that such of the statements in the petition, a copy of which is annexed hereto marked with the letter A, as relate to (a) _____ my own acts and deeds are true, and such of the said statements as relate to the acts and deeds of any other person or persons I believe to be true.

(a) If the petition is by a firm insert "the acts and deeds of my said firm".

Sworn, &c. _____

Form 7.

(Rule 9.)

Affidavit Verifying Petition of a Limited Company.

(Title.)

I, A. B., of &c., make oath and say as follows:—

1. I am [a director], [the secretary], of _____ Company, Limited, the petitioner in the above matter, and am duly authorised by the said petitioner to make this affidavit on its behalf.

2. Such of the statements in the petition, a copy of which is annexed hereto marked with the letter A as relate to the acts and deeds of the said petitioner are true and such of the statements as relate to the acts and deeds of any other person or persons I believe to be true.

Sworn, &c. _____

Form 8.

(Rules 11 and 19.)

Order appointing a Provisional Liquidator after Presentation of Petition, and before Order to Wind-up.

The _____ day of _____, 19____.

(Title.)

Upon the application, &c., and upon reading, &c., the Court doth hereby appoint the Official Receiver attached to the Court [or as may be] to the Provisional Liquidator of the above-named Company. And the Court doth hereby limit and restrict the powers of the said Provisional Liquidator to the following acts, that is to say [describe the acts which the Provisional Liquidator is to be authorised to do and the property of which he is to take possession].

Note.—It will be the duty of such of the persons as are liable to make out or to concur in making out a Statement of Affairs as the Official Receiver may require to attend on the Official Receiver at such time and place as he may appoint and to give him all information he may require.

Part of _____ Registered Form 9. _____ Date of Presentation of Petition _____
Office of _____ (Rule 13.) _____

Notice of Intention to appear on Petition.

(Title.)

Take notice that A. B. of (a) _____ a creditor for (or contributory holding (b) _____ shares in) the above company intends to appear on the hearing of the petition advertised to be heard on the _____ day of _____, 19____, and to support (or oppose) such petition.

(Signed) (c) _____
Address : _____

To _____

(a) State full name or if firm the name of the firm and address.

(b) State number and class of shares held.

(c) To be signed by the person or his agent.

List of Parties attending the hearing of a Petition.

(Title.)

The following are the names of those who have given notice of their intention to attend the hearing of the petition herein, on the day of _____, 19____.

Name.	Address.	Name and Address of Proctor of party who has given notice.	Creditors. Amount of debt.	Contributories. Number of Shares.	Opposing.	Supporting.

Notification to Official Receiver of Winding-up Order.

(Title.)

To the Official Receiver of the Court, the above-named company, which was referred into the Court, and upon

Order pronounced this day by _____ District Judge of _____ for winding up the undermentioned company under the Companies Ordinance, No. 51 of 1938. the day of _____ the Government of the _____

Name of Company.	Registered Office of Company.	Proctor's Name.	Date of Presentation of Petition

Notification to Official Receiver of Order pronounced for appointment of Provisional Liquidator prior to winding-up Order being made.

(Title.)

Receiver of the Court. Address.)

Order pronounced this day by _____ District Judge of _____ for the appointment of (a) _____ as Provisional Liquidator prior to any Winding up Order being made.

(a) Insert "an Official Receiver" or if some other person has been appointed the name, address and description of such person.

Name of Company.	Registered Office of Company.	Petitioner's Proctor.	Date of Presentation of Petition.

subject to the supervision of the voluntary winding-up of the said company, do on the 1st day of _____ 19____ report in writing to the receiver of the said company...

And it is ordered that the costs of the said petition, and of the expenses of the said company, shall be paid out of the assets of the said company...

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Form 13.

(Rule 19.)

Order for Winding-up by the Court.

_____ day of _____, 19____. And it is ordered that the costs of the said petition, and of the expenses of the said company, shall be paid out of the assets of the said company.

(Title.)

Upon the petition of the above-named company [or A. B., of &c., a creditor (or contributory), of the above-named company], on the _____ day of _____, 19____, preferred unto the Court, and upon hearing _____ for the petitioner, and _____ for _____, and upon reading the said petition, an affidavit of (the said petitioner) filed, &c.; verifying the said petition, an affidavit of L. M., filed the _____ day of _____, 19____, the Government Gazette of the _____ day of _____, the newspaper of the _____ day of _____, each containing an advertisement of the said petition [enter any other evidence], this Court doth order that the said Company be wound up by this Court under the provisions of the Companies Ordinance, No. 51 of 1938, and that the Official Receiver attached to this Court (a) be constituted Provisional Liquidator of the affairs of the Company.

(a) Or as may be seen section 174 of the Ordinance.

And it is ordered that the costs of _____ of the said petition be taxed and paid out of the assets of the said Company.

Note.—It will be the duty of such of the persons as are liable to make out or to concur in making out a statement of affairs as the Official Receiver may require to attend on the Official Receiver at such time and place as the Official Receiver may appoint and to give him all information he may require.

Report of Result of Meeting of Creditors or Contributories.

In the matter, &c. _____

I, A. B., the Official Receiver of the court [or as the case may be] Chairman of a meeting of the creditors [or contributories] of the above-named company, summoned by advertisement in the _____ newspaper of the _____, 19—, and in the Government Gazette of the _____, 19—, and by notice dated _____, 19—, and hold on the _____ day of _____, 19—, at _____, do hereby report to the court the result of such meeting as follows :—

The said meeting was attended, either personally or by proxy, by creditors whose proofs of debt against the said company were admitted for voting purposes, amounting in the whole to the value of Rs. _____ [or by _____ contributories, holding in the whole _____ shares in the said company, and entitled respectively by the regulations of the company to _____ votes.]

The question submitted to the said meeting was, whether the creditors [or contributories] of the said company wished that an application should be made to the court for appointing (1) a Liquidator in the place of the Official Receiver and (2) a Committee of Inspection [or other the proposal submitted to the meeting.]

The said meeting was unanimously of opinion that the said proposal should [or should not] be adopted; [or the result of the voting upon such question was as follows:] (a).

Dated this _____ day of _____, 19—.

(Signed) H. T. Chairman.

Order Appointing Liquidator.

(Title.)

_____ the _____ day of _____, 19—.

Upon the application of the Official Receiver and Provisional Liquidator of the above-named company, dated _____ and upon hearing the applicant in person and upon reading the order to wind up the said company dated _____, 19—, and the reports of the Official Receiver of the results of the meetings of creditors and contributories made to the court and respectively dated the _____ and the affidavit of _____ as to the fitness of the Liquidator hereinafter named filed _____

It is ordered that _____ of _____ be appointed Liquidator of the above-named company.

(a) And it is ordered that the following persons be appointed a Committee of Inspection to act with the said Liquidator, namely :—

And it is ordered that the said Liquidator do within 7 days from the date of this order give security to the satisfaction of the Registrar of Companies as provided by the Companies Winding-up Rules, 1939.

And notice of this order is to be gazetted and advertised in the _____

(a) To be struck out if no Committee of Inspection appointed.