

FORM NO. 45

[See rule 95] [HEADING AS IN FORM NO. 1]

Company Petition Noo/ 19 .
..... -Petitioner Petition for
winding-up
(General Form)

The petition of (here insert full name, description, occupation and address of petitioner) showeth:-

1. The address of the petitioner abovenamed for the service of all notices, processes etc., is that of his advocate Shri... at..

2. The company above named, viz., (hereinafter referred to as 'the company') was incorporated in the month of.. 19 , under the (Companies Act, 1956) as a public (private) company limited by shares/limited by guarantee/as an unlimited company.

3. The registered office of the company is situate at... ..

4. The nominal capital of the company is Rs divided into shares of... .. each. The amount of capital paid up or credited as paid-up is Rs (or as the case may be.)

5. The objects for which the company was established are (here set out the main object) and other objects set forth in the memorandum of association thereof.

6. 7. 8. etc. [Here set out in numbered paragraphs, as may be necessary, the facts on which the petitioner relies in support of the petition. Where the petitioner is a contributory, the petition should state whether the conditions in clause (a) or (b) of sub-section (4) of section 439 are satisfied. Where the petition is presented by the Registrar of Companies or by a person authorised by the Central Government, the order of sanction or authorisation of the Central Government should be annexed to the petition. Where the company is already being wound-up voluntarily or subject to the supervision of the Court, the facts showing that the voluntary winding-up or winding-up subject to the supervision of the Court, as the case may be, cannot be continued with due regard to the interests of the creditors or contributories or both, should be set out. After setting out the facts conclude as follows:]

The petitioner, therefore, prays as follows:-

(1) That the Co., [Ltd.] be wound up by the Court under the provisions of the Companies Act, 1956, and

(2) Such other order may be made in the premises as shall be just.

Advocate for the petitioner

Petitioner.

Note: It is intended to serve this petition on