

Form 19.

Petition for winding up of company.

Regulation 86.

IN THE MATTER OF (*Debtor or insolvent*)

AND

IN THE MATTER OF THE INSOLVENCY ACT CAP 108

PETITION FOR WINDING UP A COMPANY.

The humble petition of _____ (*insert full name, title, etc. of petitioner*) states as follows—

1. The _____ Co. Ltd. (hereafter called “the company”) was on theday of _____ incorporated.

2. The registered office of the company is at _____ (*state the situation and full postal address of the registered office*).

3. The nominal capital of the company is _____ shillings divided into shares of _____ shillings each. The amount of the capital paid up or credited as paid up is _____ shillings.

4. The objects for which the company was established are as follows—
To _____ and other objects set forth in the memorandum of association of the company.

(Here set out in paragraphs the facts on which the petitioner relies, including a statement of assets where necessary and conclude as follows—)

5. The company is indebted to your petitioner in the sum of _____ shillings (*state consideration for the debt, with particulars, so as to establish that the debt claimed is due*).

6. Your petitioner served a statutory demand on the company for payment of his or her debt on the _____ day of _____, 20____, but the company has failed

and neglected to pay the debt or any part of the debt or comply with the statutory demand.

7. To the best of my knowledge and belief there is no application to set it aside pending before this Honourable court or any other court;
8. The petitioner obtained a judgment or order of court against the debtor and execution has been returned unsatisfied (*state particulars relating to the judgment or order*).
9. The company is (insolvent and) unable to pay its debts.
10. (*Statement of assets where necessary*).

Your petitioner therefore humbly prays that — (a)
the company may be wound up by the court; or

(b) the court makes an order for the liquidation of the company.

AND makes such orders as may be necessary and just in the premises.