

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

THE INSOLVENCY ACT

IN INSOLVENCY CAUSE NO.....OF 20.....

RE:.....

L. O. made on20.....OF.....

LIQUIDATION PETITION
 (Section 425 of the Insolvency Act)

The humble petition of _____ (*insert full name, title, etc. of petitioner and capacity e.g. as director/creditor/contributory*) 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 (*state the reason for application for liquidation e.g. indebtedness,.... etc*).

(6. Your petitioner has been served with/has served a statutory demand on the company for payment of the debt on the _____ day of _____, 20___, but the company has failed to pay the debt or any part of the debt or comply with the statutory demand and to the best of my knowledge and belief there is no application to set aside the statutory demand pending before this Honourable court or any other court;)

7. The company is (insolvent and) unable to pay its debts.

8. *(Statement of Financial Position where necessary).*

Your petitioner therefore humbly prays that the court makes an order for the liquidation of the company
AND makes such orders as may be necessary and just in the premises.