

COMPANIES

Form 43 (Rule 53)

DOCUMENT MAKING A CALL

(Title)

(a) An order of court, or resolution of the Committee of Inspection.

(b) Insert address.

I, \_\_\_\_\_ the [Official Receiver and] Liquidator of the above-named company, in pursuance of (a) \_\_\_\_\_ made (or passed) this \_\_\_\_\_ day of \_\_\_\_\_, 19—, hereby make a call of \_\_\_\_\_ per share on all the contributories of the company, which sum is to be paid at my office (b) \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19—.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19—.

Form 44 (Rule 54)

NOTICE OF CALL SANCTIONED BY COMMITTEE OF INSPECTION  
TO BE SENT TO CONTRIBUTORY

(Title)

Take notice that the Committee of Inspection in the winding up of this company have sanctioned a call of \_\_\_\_\_ per share on all the contributories of the company.

The amount due from you in respect of the call is the sum of Rs. \_\_\_\_\_. This sum should be paid by you direct to me at my office (a) \_\_\_\_\_ on or before the \_\_\_\_\_ day of \_\_\_\_\_, 19—.

(a) State address.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19—.

To : Mr. \_\_\_\_\_

\_\_\_\_\_  
Liquidator.

Form 45 (Rule 54)

NOTICE TO BE SERVED WITH THE ORDER SANCTIONING A CALL

(Title)

The amount due from you, A. B., in respect of the call made pursuant to leave given by the above [or within order is the sum of Rs. \_\_\_\_\_, which sum is to be paid by you to me as the Liquidator of the said company at my office, No. \_\_\_\_\_ Street, \_\_\_\_\_, in \_\_\_\_\_.

Dated this \_\_\_\_\_, day of \_\_\_\_\_, 19—.

\_\_\_\_\_  
Liquidator.

To : Mr. A. B. \_\_\_\_\_.

Form 46 (Rule 55)

AFFIDAVIT IN SUPPORT OF APPLICATION FOR ORDER FOR PAYMENT OF CALL

(Title)

I, \_\_\_\_\_ of, &c., the Liquidator of the above-named company make oath and say as follows:—

1. None of the contributories of the said company, whose names are set forth in the Schedule hereto annexed, marked A, have paid or caused to be paid the sums set opposite their respective names in the said Schedule, which sums are the amounts now due from them respectively under the call of \_\_\_\_\_ per share, duly made under the Companies Ordinance dated the \_\_\_\_\_ day of \_\_\_\_\_, 19—.

2. The respective amounts or sums set opposite the names of such contributories respectively in such schedule are the true amounts due and owing by such contributories respectively in respect of the said call.

A

THE SCHEDULE ABOVE REFERRED TO

No. on List	Name	Address	Description	In what Character included	Amount due	
					Rs.	c.

Sworn, &c. \_\_\_\_\_

Form 47 (Rule 55)

ORDER FOR PAYMENT OF CALL DUE FROM A CONTRIBUTORY

The \_\_\_\_\_ day of \_\_\_\_\_, 19—.

(Title)

Upon the application of the Liquidator of the above-named company and upon reading an affidavit of \_\_\_\_\_ filed the \_\_\_\_\_ day of \_\_\_\_\_, 19—, and an affidavit of the Liquidator, filed the \_\_\_\_\_ day of \_\_\_\_\_, 19—, it is ordered that C. D., of, &c., [or E. F., of, &c., the legal representative of L. M., late of, &c., deceased], one of the contributories of the said company [or if against several contributories, the several persons named in the second column of the schedule to this order, being respectively contributories of the said company], do, on or before the \_\_\_\_\_ day of \_\_\_\_\_, 19—, or subsequently within four days after service of this order, pay to A. B., the Liquidator of the said company at his office No. \_\_\_\_\_ Street \_\_\_\_\_, in \_\_\_\_\_, the sum of

Rs. \_\_\_\_\_, [if against a legal representative add, out of the assets of the said L. M., deceased, in his hands as such legal representative as aforesaid, to be administered in due course of administration, if the said E. F., has in his hands so much to be administered or, if against several contributors, the several sums of money set opposite to the respective names in the sixth column of the said schedule hereto], such sum [or sums] being the amount [or amounts] due from the said C. D. [or L. M.], [or the said several persons respectively] in respect of the call of Rs. \_\_\_\_\_ per share duly made, dated the \_\_\_\_\_ day of \_\_\_\_\_, 19—.

And it is ordered that the said several persons do within the like period and at the place aforesaid pay to the said A. B., as such Liquidator as aforesaid, the several sums set opposite their respective names in the seventh column of the said schedule, such sum being the proportion of the applicants' costs of the said application payable by such several persons respectively.

[Add appropriate paragraphs as to amounts payable by married women and Legal Representatives (if any). ]

No. on List	Name	Address	Description	In what Character included	Amount due		Proportion of Costs	Total Amount payable exclusive of Interest
					Rs.	c.		

Note.—The copy for service of the above order must be endorsed as follows:—

“If you, the under-mentioned A. B., neglect to obey this order by the time mentioned therein you will be liable to process of execution for the purpose of compelling you to obey the same.”

**Form 48 (Rule 55)**

**AFFIDAVIT OF SERVICE OF ORDER FOR PAYMENT OF CALL**  
(Title)

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

1. I did on the \_\_\_\_\_ day of \_\_\_\_\_, 19—, personally serve G. F., of \_\_\_\_\_, in \_\_\_\_\_, &c., with an order made in this matter by this court, dated the \_\_\_\_\_ day of \_\_\_\_\_, 19—, whereby it was ordered [set out the order] by delivering to and leaving with, the said G. F., at \_\_\_\_\_, in \_\_\_\_\_, a true copy of the said order, and at the same time producing and showing unto him, the said G. F., the said original order.

2. There was indorsed on the said copy when so served the following words, that is to say, "If you, the under-mentioned G. F., neglect to obey this order by the time mentioned therein, you will be liable to process of execution for the purpose of compelling you to obey the same."

Sworn, &c. \_\_\_\_\_

Form 49 (Rule 59)

PROOF OF DEBT—GENERAL FORM

(Title)

I (a) \_\_\_\_\_ of \_\_\_\_\_, in \_\_\_\_\_, make oath and say :

(b) That I am in the employ of the under-mentioned creditor, and that I am duly authorized by \_\_\_\_\_ to make this affidavit, and that it is within my own knowledge that the debt hereinafter deposed to was incurred and for the consideration stated, and that such debt, to the best of my knowledge and belief, still remains unpaid and unsatisfied.

(c) That I am duly authorized, under the seal of the company hereinafter named, to make the proof of debt on its behalf.

1. That the above-mentioned company was, at the date of the (\*) order for winding up the same, viz., the \_\_\_\_\_ day of \_\_\_\_\_, 19—, and still is justly and truly indebted to (d) \_\_\_\_\_ in the sum of Rs. \_\_\_\_\_ and \_\_\_\_\_ cents for (e) \_\_\_\_\_ as shown by the account endorsed hereon, or by the following account, viz :—

for which sum or any part thereof I say that I have not, nor hath (f) \_\_\_\_\_ or any person by (g) \_\_\_\_\_ order to my knowledge or belief for (g) \_\_\_\_\_ use had or received any manner of satisfaction or security whatsoever, save and except the following (h) :—

	Date	Drawer	Acceptor	Amount		Due date
				Ra.	c.	
Admitted to vote for Rs. _____						
the _____ day of _____,						
19— ..						
Official Receiver or Liquidator ..						
Admitted to rank for dividend for						
Rs. _____ this _____ day						
of _____, 19— ..						
Official Receiver or Liquidator ..						

Sworn at \_\_\_\_\_, in \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19—.

Before me :

Signature \_\_\_\_\_  
Deponent.

Note.—The proof cannot be admitted for voting at the first meeting unless it is properly completed and lodged with the Official Receiver before the time named in the notice convening the meeting.

(\*) Where before the presentation of the petition for the winding up of a company by the court, a resolution has been passed by the company for voluntary winding up, the date of the commencement of the winding up must be substituted for the date of the winding-up order (see section 169 of the Companies Ordinance.)

(a) Fill in full name, address, and occupation of deponent. If proof made by creditor strike out clause (b) and (c). If made by person authorized by creditor, strike out (a). If by person authorized by company, strike out (b). (d) Insert "me and to C. D. and E. F., my co-partners in trade (if any)," or, if by authorized person insert name, address, and description of principal.

(e) State Consideration (as goods sold and delivered by me (and my said partner) to the company between the dates of (or moneys advanced by me in respect of the under-mentioned bill of exchange) or, as the case may be). (f) "my said partners or any of them" or "the above-named creditor" [as the case may be]. (g) "My," or "our," or "their," or "his" [as the case may be]

(h) [Here state the particulars of all securities held and where the securities are on the property of the company assess the value of the same, and if any bills or other negotiable securities be held specify them in the Schedule.]

N.B.—Bills of Exchange or other negotiable securities must be produced before the proof can be admitted.

COMPANIES

PARTICULARS OF ACCOUNT REFERRED TO ON THE OTHER SIDE  
(Credit should be given for Contra Accounts.)

Date	Consideration	Amount		Remarks The vouchers (if any) by which the account can be substantiated should be set out here
		Rs.	c.	

\_\_\_\_\_  
Signature of Deponent.

Form 50 (Rule 65)

PROOF OF DEBT OF WORKMEN

(Title)

I (a) \_\_\_\_\_ of \_\_\_\_\_ (b) \_\_\_\_\_ make oath and say :

(a) Fill in full name, address, and occupation of deponent.

(b) On behalf of the workmen and others employed by the above-named company.

1. That the above-named company was on the \_\_\_\_\_ day of \_\_\_\_\_, 19—, and still is justly and truly indebted to the several persons whose names, addresses, and descriptions appear in the schedule endorsed hereon in the sums severally set against their names in the sixth column of such schedule for wages due to them respectively as workmen or others in the employ of the company in respect of services rendered by them respectively to the company during such periods as are set out against their respective names in the fifth column of such schedule, for which said sums, or any part thereof, I say that they have not, nor hath any of them had or received any manner of satisfaction or security whatsoever.

Sworn at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19—.

Before me :

\_\_\_\_\_  
Signature of Deponent.

SCHEDULE REFERRED TO ON THE OTHER SIDE

1 No.	2 Full Name of Workman	3 Address	4 Description	5 Period over which wages due	6 Amount due	
					Rs.	c.

\_\_\_\_\_  
Signature of Deponent.

Form 51 (Rule 69)

NOTICE OF REJECTION OF PROOF OF DEBT

(Title)

Take notice that, as [Official Receiver and] Liquidator of the above-named company, I have this day rejected your claim against the company (a) [to the extent of Rs. ———] on the following grounds:—

And further take notice that subject to the power of the court to extend the time, no application to reverse or vary my decision in rejecting your proof will be entertained after the expiration of ——— days from this date.

(a) If proof wholly rejected strike out words in italics.

Dated this ——— day of ———, 19—.

Signature : ———.

Address : ———.

[Official Receiver and] Liquidator.

To : ———.

Form 52 (Rule 75)

LIST OF PROOFS TO BE FILED UNDER RULE 75

(Title)

I hereby certify that the following is a correct list of all proofs tendered to me in the above matter during the past month.

Dated this ——— day of ———, 19—.

\_\_\_\_\_  
Liquidator.

Name of Creditor	Proofs tendered				
	Amount of Proof		Whether admitted, rejected, or standing over for further consideration	If admitted Amount	
	Rs.	c.		Rs.	c.



Form 53 (Rule 80)

NOTICE TO CREDITORS OF INTENTION TO DECLARE DIVIDEND

(Title)

(a) Insert here "first" or "second" or "final," or as the case may be.

A (a) \_\_\_\_\_ dividend is intended to be declared in the above matter. You are mentioned as a creditor in the Statement of Affairs, but you have not yet proved your debt.

If you do not prove your debt by the \_\_\_\_\_ day of \_\_\_\_\_, 19—, you will be excluded from this dividend.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19—.

Address :

\_\_\_\_\_,  
Liquidator.

To: X. Y.

Form 54 (Rule 80)

NOTICE TO PERSONS CLAIMING TO BE CREDITORS OF INTENTION TO DECLARE FINAL DIVIDEND

(Title)

Take notice that a final dividend is intended to be declared in the above matter, and that if you do not establish your claim to the satisfaction of the court on or before the \_\_\_\_\_ day of \_\_\_\_\_, 19—, or such later day as the court may fix, your claim will be expunged and I shall proceed to make a final dividend without regard to such claim.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19—.

Address :

\_\_\_\_\_,  
Liquidator.

To: X. Y.

Form 55 (Rule 80)

NOTICE OF DIVIDEND

(Please bring this Dividend Notice with you.)

Dividend Payment Orders \* are cancelled at the expiration of three months from the date of issue, but will be reissued free of charge on application within six months from the date of issue.

\* In cases in which the payments are made by cheque substitute

A fee of 50 cents when the dividend does not exceed Rs. 10 and Re. 1.25 when the dividend exceeds Rs. 10 is chargeable on the reissue of each Dividend Payment Order \* after six months from the date of issue.

Dividend of \_\_\_\_\_ (Title)  
 Address \_\_\_\_\_  
 Date \_\_\_\_\_

Notice is hereby given that a \_\_\_\_\_ dividend of \_\_\_\_\_ has been declared in this matter, and that the same may be received at my office, as above, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19—, or on any subsequent \_\_\_\_\_ between the hours of \_\_\_\_\_ and \_\_\_\_\_.

Upon applying for payment this notice must be produced entire, together with any Bills of Exchange, Promissory Notes or other negotiable securities held by you. If you desire the dividend to be made payable to some other person you should sign and lodge with the Liquidator an authority in the prescribed Form 58. Otherwise if you do not attend personally you must fill up and sign the subjoined Forms of Receipt and Authority to deliver, when a Dividend Payment Order \* in your favour will be delivered in accordance with the authority.

(Signed) \_\_\_\_\_  
 To \_\_\_\_\_ Liquidator.

Note.—The receipt or authority should, in the case of a firm, be signed in the firm's name, or in the case of a limited company by an officer of the company, so described.

RECEIPT

No. \_\_\_\_\_, 19—.  
 Received of \_\_\_\_\_ in this matter the sum of \_\_\_\_\_ rupees \_\_\_\_\_ and \_\_\_\_\_ cents, being the amount payable to me/us in respect of the dividend of \_\_\_\_\_ on my/our claim against this company.

Payee's Signature.

Rs. \_\_\_\_\_

Authority for Delivery (a)

Sir,—Please deliver (b) to "me/us by post," at "my/our risk" or to the Bearer, Mr. \_\_\_\_\_ the order \* for the dividend payable to me/us in this matter.

Payee's Signature : \_\_\_\_\_

To : The [Official Receiver and] Liquidator.

Date : \_\_\_\_\_, 19—.

(a) Note.— This is an authority only to deliver the Payment Order NOT to make it payable to another person.

(b) Strike out words inapplicable. If not to be sent by post strike out words in italics and insert the name of the person who is to receive the order.



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Form 56 (Rule 80)

CERTIFIED LIST OF PROOFS UNDER RULE 80 OF THE COMPANIES WINDING-UP RULES, 1939, AND APPLICATION FOR ISSUE OF CHEQUES FOR DIVIDEND ON COMPANIES LIQUIDATION ACCOUNT

COMPANIES LIQUIDATION ACCOUNT

Ledger Folio \_\_\_\_\_

Re \_\_\_\_\_ Court \_\_\_\_\_ No. \_\_\_\_\_ of 19\_\_\_\_.

I hereby certify that the following list has been compared with the proofs filed, and that the names of the creditors and the amounts for which the proofs are admitted are correctly stated.

(Signature) \_\_\_\_\_

Liquidator.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

I certify that by my books the sum of Rs. \_\_\_\_\_ stands to the credit of the above company with the Companies Liquidation Account at the \_\_\_\_\_ Bank, and that the sum of Rs. \_\_\_\_\_ is required to meet the under-mentioned dividends, on proofs which have been duly made and admitted to rank for dividend upon the company, and I have to request that orders for payment may be issued to me.

The dividend is payable on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and notice of declaration thereof was forwarded to the Director of Commerce and Industries for insertion in the Government Gazette, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Liquidator.

Date: \_\_\_\_\_ 19\_\_\_\_.

Address to which Cheques and Payment Orders should be sent.

To: The Director of Commerce and Industries.

No.	Surname	Christian Name	Amount of Proof		Amount of Dividend	
			Rs.	c.	Rs.	c.

# COMPANIES

[Cap. 145]

## Form 57 (Rule 80)

CERTIFIED LIST OF PROOFS FILED UNDER RULE 80 OF THE  
COMPANIES WINDING-UP RULES, 1939, SPECIAL BANK CASE

(Title)

I hereby certify that the following list has been compared with the proofs filed, and that the names of the creditors and the amounts for which the proofs are admitted are correctly stated.

\_\_\_\_\_,  
Liquidator.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

I hereby certify that a dividend of \_\_\_\_\_ has been declared, and that the creditors whose names are set forth below are entitled to the amount set opposite their respective names.

\_\_\_\_\_,  
Liquidator.

To: The Director of Commerce and Industries.

Surname	Christian Name	Amount of Proof		Amount of Dividend	
		Rs.	c.	Rs.	c.

## Form 58 (Rule 80)

AUTHORITY TO LIQUIDATOR TO PAY DIVIDENDS TO ANOTHER  
PERSON

(Title)

To: The [Official Receiver and] Liquidator.

Sir,

I/We hereby authorize and request you to pay to M \_\_\_\_\_ of \_\_\_\_\_ (a specimen of whose signature is given below), all dividends as they are declared in the above-named matter, and which may become due and payable to me/us in respect of the proof of debt for the sum of Rs. \_\_\_\_\_ against the above-named company, made [by Mr. \_\_\_\_\_] on my/our behalf.

And I/We further request that the cheque or cheques drawn in respect of such dividends may be made payable to the order of the said M \_\_\_\_\_ whose receipt shall be sufficient authority to you for the issue of such cheque or cheques in his name.

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It is understood that this authority is to remain in force until revoked by me/us in writing.

Signatures :

Witness to the Signature of \_\_\_\_\_

Witness to the Signature of \_\_\_\_\_

Date : \_\_\_\_\_

Specimen signature of person appointed as above.

Witness to the signature of \_\_\_\_\_

Witness to the signature of person appointed as above \_\_\_\_\_

Form 59 (Rule 81)

NOTICE OF RETURN TO CONTRIBUTORIES

(Please bring this Notice with you.)

Payment Orders \* are cancelled at the expiration of three months from date of issue, but will be reissued free of charge on application within six months from month of issue.

A fee of 50 cents when the return does not exceed Rs. 10 and Re. 1.25 when the return exceeds Rs. 10 is chargeable on the reissue of each Payment Order \* after six months from the date of issue.

(Title)

Return of \_\_\_\_\_

Address \_\_\_\_\_

Date : \_\_\_\_\_

Notice is hereby given that a \_\_\_\_\_ return of \_\_\_\_\_ has been declared in this matter, and that the same may be received at my office, as above, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19—, or on any subsequent day except Saturday, between the hours of \_\_\_\_\_.

Upon applying for payment this notice must be produced entire, together with the share certificate. If you do not attend personally you must forward the share certificate and fill up and sign the sub-joined Forms of Receipt and Authority to deliver, when a Payment Order \* in your favour will be delivered in accordance with the Authority.

(Signed) \_\_\_\_\_  
Liquidator.

Note.—The receipt should be signed by the contributory personally, or in the case of joint contributories by each, and in the case of a limited company by an officer of the company, so described.

RECEIPT

No. \_\_\_\_\_

Received of the \_\_\_\_\_ in this matter the sum of \_\_\_\_\_ rupees \_\_\_\_\_ and \_\_\_\_\_ cents, being the amount payable to \_\_\_\_\_ in respect of the \_\_\_\_\_ return of \_\_\_\_\_ per share held by \_\_\_\_\_ in this company.

Contributory's Signature.

Rs. \_\_\_\_\_

\* In cases in which the payments are made by cheque substitute "cheques" or "cheque."

Authority for Delivery (a)

Sir,—Please deliver (b) to me/us by post, at my/our risk or to the bearer Mr. \_\_\_\_\_ the order\* for the return payable to me/us in this matter.

Contributory's Signature.

To: The [Official Receiver and] Liquidator.

Date: \_\_\_\_\_, 19—.

(a) Note.—  
This is an authority only to deliver the Payment Order, not to make it payable to another person.

(b) Strike out words inapplicable. If not to be sent by post strike out the words in italics and insert the name of the person who is to receive the order.

Form 60 (Rule 81)

SCHEDULE OR LIST OF CONTRIBUTORIES HOLDING PAID-UP SHARES TO WHOM A RETURN IS TO BE PAID

In the matter of \_\_\_\_\_ No. \_\_\_\_\_ of 19—.

Number in settled List	Name of Contributory as in settled List	Address	Number of Shares held as per settled List	Total amount called up	Total amount paid up	Arrears of Calls at date of Return	Previous returns of capital appropriated by Liquidator for Arrears of calls	Amount of Return payable at per share	Net return Payable	Date and particulars of transfer of interest or other variation in List

(a) Where the Articles provide that the amount divisible among members or any class of the members shall be divisible in proportion to the amount paid up or which ought to have been paid up at the date of winding up, or contain any other provision which will necessitate further information before a return can be made, columns should be added showing the amount called up and the amount paid up at such date in respect of shares then held by such members or class of members or such other facts as may be requisite.

Form 61 (Rule 85)

NOTICE TO CREDITORS OF FIRST MEETING

(Title)

(Under the order for winding up the above-named company, dated \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19—.)

Notice is hereby given that the first meeting of creditors in the above matter will be held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19—, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon.

To entitle you to vote thereat your proof must be lodged with me not later than \_\_\_\_\_ o'clock on the \_\_\_\_\_ day of \_\_\_\_\_, 19—.

Forms of proof and of general and special proxies are enclosed herewith. Proxies to be used at the meeting must be lodged with me at \_\_\_\_\_ not later than \_\_\_\_\_ o'clock on the \_\_\_\_\_ day of \_\_\_\_\_, 19—.

Official Receiver : \_\_\_\_\_.

Address : \_\_\_\_\_.

(The statement of the Company's affairs (a) \_\_\_\_\_.

NOTE

At the first meetings of the creditors and contributories they may amongst other things—

1. By resolution determine whether or not an application is to be made to the court to appoint a Liquidator in place of the Official Receiver.

2. By resolution determine whether or not an application shall be made in the court for the appointment of a Committee of Inspection to act with the Liquidator, and who are to be the members of the Committee if appointed.

Note.—If a Liquidator is not appointed by the court the Official Receiver will be the Liquidator.

Form 62 (Rule 85)

NOTICE TO CONTRIBUTORS OF FIRST MEETING

(Title)

Notice is hereby given that the first meeting of the contributories in the above matter will be held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19—, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon.

Forms of general and special proxies are enclosed herewith. Proxies to be used at the meeting must be lodged with me at \_\_\_\_\_ not later than \_\_\_\_\_ o'clock on the \_\_\_\_\_ day of \_\_\_\_\_, 19—.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19—.

Official Receiver.

(The Company's statement of affairs (a) \_\_\_\_\_.)

NOTE

At the first meetings of creditors and contributories they may amongst other things—

1. By resolution determine whether or not an application shall be made to the court to appoint a liquidator in place of the Official Receiver.

1. By resolution determine whether or not an application shall be made to the court for the appointment of a Committee of Inspection to act with the Liquidator, and who are to be the members of the Committee if appointed.

Note.—If a Liquidator is not appointed by the court the Official Receiver will be the Liquidator.

(a) Here insert "has not been lodged" or "has been lodged, and summary is enclosed."

(a) Here insert "has not been lodged," or "has been lodged, and summary is enclosed."



Form 63 (Rule 86)

NOTICE TO DIRECTORS AND OFFICERS OF COMPANY TO ATTEND  
FIRST MEETING OF CREDITORS OR CONTRIBUTORIES

(Title)

Take notice that the first meeting of creditors or contributories will be held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock at (a)\_\_\_\_\_ and that you are required to attend thereat and give such information as the meeting may require.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

To (b) \_\_\_\_\_.

\_\_\_\_\_  
Official Receiver.

(a) Here insert place where meeting will be held.

(b) Insert name of person required to attend.

Notice of first meeting to officers of company.  
Form 63.

Rule 86.—The Official Receiver shall also give to each of the directors and other officers of the company who in his opinion ought to attend the first meetings of creditors and contributories seven days' notice of the time and place appointed for each meeting. The notice may be sent by prepaid post letter or delivered in any other manner as may be convenient. It shall be the duty of every director or officer who receives notice of such meeting to attend if so required by the Official Receiver, and if any such director or officer fails to attend the Official Receiver shall report such failure to the Court.

Form 64 (Rule 106)

LIST OF CREDITORS (a) TO BE USED AT EVERY MEETING

(Title)

Meeting held at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Con-secutive Number	Names of creditors (a) present or represented	Amount of Proof (b)			
		In person		Proxies	
		Rs.	c.	Rs.	c.
1					
2					
3					
4					
5					
6					
7					
7	Total number of creditors (a) present or represented.				

(a) "Or contributories."

(b) In case of contributories insert "number of shares" and "number of votes according to the regulations of the company."



**Form 65 (Rule 90)**  
**NOTICE OF MEETING (GENERAL FORM)**

(Title)

Take notice that a meeting of creditors [or contributories] in the above matter will be held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon.

(a) Here insert purpose for which meeting called.

*Agenda*

(a) \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Signed) (b) \_\_\_\_\_.

(b) "Liquidator" or "Official Receiver," or as the case may be. See Rule 90.

Forms of general and special proxies are enclosed herewith. Proxies to be used at the meeting must be lodged with \_\_\_\_\_ not later than \_\_\_\_\_ o'clock on the \_\_\_\_\_ day of \_\_\_\_\_.

**Form 66 (Rule 91)**  
**AFFIDAVIT OF POSTAGE OF NOTICES OF MEETING**

(Title)

(a) State the description of the deponent.

1. \_\_\_\_\_ a (a) \_\_\_\_\_, make oath say as follows:—

(b) Insert here "general" or "adjourned general" or "first" meeting of creditors [or contributories as the case may be.]

1. That I did on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, send to each creditor mentioned in the company's Statement of Affairs [or to each contributory mentioned in the register of members of the company] a notice of the time and place of the (b) \_\_\_\_\_ in the form hereunto annexed marked "A".

2. That the notices for creditors were addressed to the said creditors respectively according to their respective names and addresses appearing in the Statement of Affairs of the company or the last known addresses of such creditors.

3. That the notices for contributories were addressed to the contributories respectively according to their respective names and registered or last known addresses appearing in the register of the company.

4. That I sent the said notices by putting the same prepaid into the post office at \_\_\_\_\_ before the hour of \_\_\_\_\_ o'clock in the \_\_\_\_\_, noon on the said day.

Sworn, &c. \_\_\_\_\_.

**Form 67 (Rule 91)**  
**CERTIFICATES OF POSTAGE OF NOTICES (GENERAL)**

(Title)

I, \_\_\_\_\_ hereby certify:—

1. That I did on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, send to (a) \_\_\_\_\_, a notice of the time and the place of the first meeting, or (b) \_\_\_\_\_ in the form hereunto annexed marked "A".

Paragraphs 2, 3, and 4 as in last preceding form.

Date \_\_\_\_\_.

\_\_\_\_\_  
 Signature.

(a) Each creditor mentioned in the Statement of Affairs, or each contributory mentioned in the Register of Members of the company, or as the case may be.

(b) "A General meeting" or "adjourned general meeting", or as the case may be.

Form 68 (Rule 94)

AUTHORITY TO DEPUTY TO ACT AS CHAIRMAN OF MEETING AND USE PROXIES

(Title)

I, \_\_\_\_\_ the Official Receiver of \_\_\_\_\_ do hereby nominate Mr. \_\_\_\_\_ of \_\_\_\_\_ to be Chairman of the meeting of creditors [or contributories] in the above matter, appointed to be held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19—, and I depute him to attend such meeting and use, on my behalf, any proxy or proxies held by me in this matter.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19—.

\_\_\_\_\_  
Official Receiver.

Form 69 (Rule 98)

MEMORANDUM OF ADJOURNMENT OF MEETING

(Title )

Before \_\_\_\_\_ at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19—, at \_\_\_\_\_ o'clock.

Memorandum.— The (a) \_\_\_\_\_ Meeting of (b) \_\_\_\_\_ in the above matter was held at the time and place above mentioned; but it appearing that (c) \_\_\_\_\_ the meeting was adjourned until the \_\_\_\_\_ day of \_\_\_\_\_, 19—, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, then to be held at the same place.

\_\_\_\_\_  
Chairman.

(a) "First," or as the case may be.

(b) Insert "creditors" or "contributories," as the case may be.

(c) Here state reason for adjournment.

Form 70 (Rule 108)

GENERAL PROXY

(Title )

I/We, \_\_\_\_\_ of \_\_\_\_\_, a creditor [or contributory], hereby appoint (1) \_\_\_\_\_ to be my|our general proxy to vote at the Meeting of Creditors [or Contributories] to be held in the above matter on the \_\_\_\_\_ day of \_\_\_\_\_, 19—, or at any adjournment thereof.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19—,

Signed (2) \_\_\_\_\_.

NOTES

(1) The person appointed general proxy may be the Official Receiver, the Liquidator, or such other person as the creditor [or contributory] may approve, and the proxy form when signed must be lodged by the time and at the address named for that purpose in the notice convening the meeting at which it is to be used.

(2) If a firm, sign the firm's trading title, and add "by A. B., a partner in the said firm". If the appointed is a corporation, then the Form of Proxy must be under its Common Seal or under the hand of some officer duly authorized in that behalf, and the fact that the officer is so authorized must be stated thus:—

For the \_\_\_\_\_ Company.

\_\_\_\_\_  
J. S. (duly authorized under the seal of the  
Company.)

*Certificate to be signed by person other than Creditor [or Contributory] filling up the above Proxy.*

I, \_\_\_\_\_ of \_\_\_\_\_, being a (a) \_\_\_\_\_ hereby certify that all insertions in the above proxy are in my own handwriting, and have been made by me at the request of the above-named \_\_\_\_\_ and in his presence, before he attached his signature [or mark] thereto.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19—.

\_\_\_\_\_  
Signature.

*In a voluntary winding up the Liquidator or if there is no Liquidator the Chairman of a meeting may but the Official Receiver may not be appointed proxy. The proxy form will be altered accordingly.*

**Form 71 (Rule 108)**

**SPECIAL PROXY**

(Title)

L/We, \_\_\_\_\_ of \_\_\_\_\_, a creditor [or contributory], hereby appoint (1) \_\_\_\_\_ as my|our proxy at the meeting of creditors [or contributories] to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 19—, or at any adjournment thereof, to vote (a) \_\_\_\_\_ the resolution No. \_\_\_\_\_ in the notice convening.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19—.

(Signed) (2) \_\_\_\_\_

**NOTES**

(1) The person appointed proxy may be the Official Receiver, the Liquidator, or such other person as the creditor [or contributory] may approve, and the proxy form when signed must be lodged by the time and at the address named for that purpose in the notice convening the meeting at which it is to be used. A creditor [or contributory] may give a special proxy to any person to vote at any specified meeting or adjournment thereof on all or any of the following matters:—

(a) For or against the appointment or continuance in office of any specified as Liquidator or as member of the Committee of Inspection;

(b) On all questions relating to any matter, other than those above referred to, arising at a specified meeting or adjournment thereof.

(2) If a firm, sign the firm's trading title, and add "by A. B., partner in the said firm". If the appointor is a corporation, the form of proxy must be under its common seal

(a) Here state whether clerk or manager in the regular employment of the creditor or contributory.

(a) Here insert the word "for" or the word "against" as the case may require, and specify the particular resolution.

or under the hand of some officer duly authorized in that behalf, and the fact that he is so authorised must be so stated.

*Certificate to be signed by person other than Creditor or Contributory filing up the above Proxy*

I, \_\_\_\_\_ of \_\_\_\_\_, being a (b) hereby certify that all insertions in the above proxy are in my own handwriting, and have been made by me at the request of the above-named \_\_\_\_\_ and in his presence before he attached his signature [or mark] thereto.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19—.

\_\_\_\_\_  
(Signature).

(b) Here state whether clerk or manager in the regular employment of the creditor or contributory.

*In a voluntary winding up the Liquidator or if there is no Liquidator the Chairman of a meeting may but the Official Receiver may not be appointed proxy. The proxy form will be altered accordingly.*

Form 72 (Rule 130)

APPLICATION TO COURT TO AUTHORIZE A SPECIAL BANK ACCOUNT  
(Title)

We, the Committee of Inspection, being of opinion that Mr. \_\_\_\_\_ of \_\_\_\_\_, the Liquidator in the above matter, should have a special bank account for the purpose of (a) hereby apply to the court to authorize him to make his payments into and out of the \_\_\_\_\_ bank.

(a) Here insert grounds of application.

All cheques to be countersigned by \_\_\_\_\_, a member of the Committee of Inspection, and by \_\_\_\_\_ for \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19—.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ } Committee of Inspection.

Form 73 (Rule 130)

ORDER OF COURT FOR SPECIAL BANK ACCOUNT  
(Title)

You are hereby authorized to make your payments in the above matter into, and out of, the \_\_\_\_\_ bank.

[Here insert any special terms.]

All cheques to be countersigned by \_\_\_\_\_, a member of the Committee of Inspection, and by \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19—.

To

\_\_\_\_\_  
District Judge.