

FORM NO. 57

[See Rule 127] [HEADING AS IN FORM NO.1]

Company Petition No .... of 19 ..

**Statement of affairs under section 454**

Statement of affairs of the above-named company as on the .....day of... 19 ...• the date of the winding-up order [or the order appointing Provisional Liquidator or the date directed by the Official Liquidator].

I/We ..... of ..... do solemnly affirm and say that the statement made overleaf and the several lists hereunto annexed marked 'A' to T are to the best of my/our knowledge and belief a full, true and complete statement as to the affairs of the above-named company, on the ..... day of ..... 19 ...• the date of the winding-up order [or the order appointing Provisional Liquidator or the date directed by the Official Liquidator]. and that the said company carries/carried on the following business:

(Here set out nature of company's business).

Signature( s)

Solemnly affirmed at .....this .....day of ..... 19 .. Before me.

Commissioner for Oaths The Commissioner

is particularly requested. before swearing the affidavit. to ascertain that the full name, address and description of the deponent are stated. and to initial any crossings-out or other alterations in the printed form. A deficiency in the affidavit in any of the above respects will entail its refusal by the Court. and will necessitate its being re-sworn.

**Note:** The several lists annexed are not exhibits to the affidavit.

STATEMENT OF AFFAIRS AND LISTS TO BE ANNEXED

Statement as to the affairs of ....Ltd .• on the .....day of... 19 .., being the date of the winding-up order [or order appointing Provisional Liquidator or the date directed by the Official Liquidator as the case may be] showing assets at estimated realisable values and liabilities expected to rank :-

Assets not specifically pledged (as per List 'A')

Estimated realisable values Rs.

- Balance at bank
- Cash in hand
- Marketable Securities
- Bills Receivable
- Trade Debtors
- Loans and Advances Unpaid Calls
- Stock in Trade
- Work in progress
- Freehold property. Land & Buildings
- Leasehold property
- Plant & Machinery
- Furniture. Fittings. Utensils. etc.
- Investments other than marketable securities

Assets not specifically pledged (as per List 'A')

Estimated realisable values Rs.

Livestock Vehicles, etc.

Other property, viz,

@ Asset specifically pledged (as per list 'B')

(a) Estimated realisable values	(b) Due to secured creditors	(c) Deficiency rankina as unsecured	Surplus carried to last column
Rs.	Rs.	Rs.	Rs.

Freehold property:

Rs.

Estimated surplus from assets specifically pledged .....

Estimated total assets available for preferential creditors, debentureholders secured by a floating charge, and unsecured creditors t(carried forward)

Summary of Gross Assets

(d) Rs.

Rs.

Gross realisable value of assets specifically pledged Other assets

Gross Assets

Rs.

Note : All assets specifically mortgaged, pledged or otherwise, given as security should be included under this head. In the case of goods given as security, those in possession of the Company and those not in possession should be separately set out.

Estimated total assets available for preferential creditors, Rs.

debenture-holders secured by a floating charge, and unsecured creditors] (brought forward).

(e)

Gross Liabilities

Rs.

*Liabilities*

(to be deducted from surplus or added to deficiency as the case may be).

Secured creditors (as per List 'B') to extent to which claims are estimated to be covered by assets specifically pledged [item (a) or (b) on preceding page, whichever is the less]

[Insert in 'Gross Liabilities' column only]

Preferential creditors (as per List 'C')

Estimated Surplus/Deficiency as regards Members] (as per List 'H')

	Rs.
ure	
ditors].	
Rs.	_____
(as per	
List	_____
nture	
Rs.	_____
unsecur	
on	
specific	
Rs.	_____
Rs .	_____
Rs.	_____

Estimated balance of assets available for debent secured by a floating charge and unsecured ere

Debenture-holders secured by a floating charge 'D')

Estimated Surplus/Deficiency as regards debent

Unsecured Creditors (as per List 'E') Estimated balance of claims of creditors partly secured assets, brought from preceding page (c)

Trade Accounts

Bills Payable

Outstanding Expenses

Contingent liabilities (state nature)

Estimated Surplus/Deficiency as regards creditors] [being difference between Gross Assets brought from preceding page (d) and

Gross Liabilities as per column (e)]

Rs.

Issued and Called-up Capital:

..... preference shares of each

..... Called-up (as per List 'F')

..... equity shares of each

..... Called-up (as per List 'G')  
 [These figures must be read subject to the following notes :-  
 (1) (f) There is no unpaid capital liable to be called-up, or  
 (g) The nominal amount of unpaid capital liable to be called up is Rs ..... estimated to produce Rs which is/is not charged in favour of Debenture holders.

[Strike out (f) or (g)]

(2) The estimates are subject to costs of the winding-up and to any surplus or deficiency on trading pending realisation of the assets.

LIST 'A' - ASSETS NOT SPECIFICALLY PLEDGED *Statement of Affairs - List :4'*

Full particulars of every description of property not specifically pledged and not included in any other List are to be set forth in this list.

*Full statement and nature of property*

*Book value*      *Estimated to produce*

*Rs. nP. Rs. n*  
 State name of bankers.

Balance at Bank Cash in hand

Marketable Securities. viz .•

State nature State nature

Bills Receivable (as per Schedule I) Trade Debtors (as per Schedule II) Loans & Advances (as per Schedule III) Unpaid calls (as per Schedule IV) Stock in Trade (as per Schedule V) Work in Progress

Freehold property, viz,

Leasehold property. viz.,

Plant and Machinery. viz.,

Furniture. Fittings. Utensils etc., Patents, Trade Marks, etc .• viz .•

Investments other than Marketable Securities. viz .•

Livestock, Vehicles. etc.

Other property, viz.,

*Signature:*

*Dated ..... 19 .....•*

SCHEDULE 1- BILLS OF EXCHANGE, PROMISSORY NOTES, ETC., ON HAND AVAILABLE AS ASSETS

*Statement of Affairs: Schedule I to List i1'*

The names to be arranged in alphabetical order and numbered consecutively.

Signature: ••  
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No.	Name of Acceptor bill or note	Address.	Amount of bill or note		Date when due	Estimated to produce		Particulars of any property held as security for payment bill or note
			Rs.	nP.		Rs.	nP.	

*Signature:*  
*Dated ..... 19*

SCHEDULE II -  
TRADE DEBTORS  
*Statement of  
Affairs: Schedule II  
to List 'A'*

The names to be arranged in alphabetical order and numbered consecutively.

**Note:** If the debtor to the company is also a creditor, but for a less amount than his indebtedness, the gross amount due to the company and the amount of the contra account should be shown in the third column, and the balance only be inserted under the heading 'Amount of debt' thus ;-

Rs.    nP.

Due to the Company *Less* Contra Account

No such claim should be included in the List 'E'

No.	Name	Residence and occupation	Amount of Debt						Folio of ledger or other book where particulars to be found	When		Estimated produce	Particulars of any securities held for debt	
			Good		Doubtful		Bad			Month	Year			
			Rs.	nP.	Rs.	nP.	Rs.	nP.				Rs.	nP.	

Signature:

Dated .....19 .....

**SCHEDULE III - LOANS & ADVANCES Statement of Affairs: Schedule III to List A'**

Serial No.	Date of advance	Name & address of person to whom advanced	Amount due		Estimated to realise	Particulars of security if any	Folio of ledger or other where particulars to be found	
			Rs.	nP.			Rs.	

Signature:  
Dated ..... 19 ..

**SCHEDULE IV - UNPAID CALLS Statement of Affairs: Schedule IV to List A'**

The names to be arranged in alphabetical order and numbered consecutively

Consecutive No.	No. in share register	Name of	Address	No. of shares held	Amount of call per share unpaid		Total amount due		Estimated to realise
					Rs.	nP.	Rs.	nP.	

Signature:  
Dated ..... 19 ..

**SCHEDULE V - STOCK IN TRADE Statement of Affairs: Schedule V to List 'A'**

Serial No.	Description	Quantity	Book Value		Estimated to realise
			Rs.	nP.	

Signature:  
Dated. .... 19 ...  
Signature:  
Dated. 0< ..... / 9 .

**SCHEDULE VI - DEBTS DUE FROM CONTRIBUTORIES (Other than unpaid calls)**

*Statement of Affairs: Schedule VI to List f1'*

Consecutive No.	No. in share register	Name of Shareholder	Address	Nature & particulars of the debt	Amount due	Security held if any for the debt	Serial No. in Schedule 1, II or III, as the case may be where the debt is included
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**LIST B: ASSETS SPECIFICALLY PLEDGED AND CREDITORS FULLY OR PARTLY SECURED (NOT INCLUDING DEBENTURE HOLDERS SECURED BY A FLOATING CHARGE)**

The names of the secured creditors are to be shown against the assets on which their claims are secured, numbered consecutively, and arranged in alphabetical order as far as possible.

*Statement of Affairs: List 'E'*

Particulars of assets specifically pledged	Date when security given	Estimated value of security		No.	Name of creditor	Address of creditor	Amount due		Date when contracted	Consideration	Balance debt unsecured carried to List 'E'		Estimated surplus from security	
		Rs.	nP.				Rs.	nP.			Rs.	nP.	Rs.	nP.

**LIST 'C' - PREFERENTIAL CREDITORS FOR RATES, TAXES, SALARIES, WAGES AND OTHERWISE THE NAMES TO BE ARRANGED IN ALPHABETICAL ORDER AND NUMBERED CONSECUTIVELY**

*Statement of Affairs: List 'C'*

Signature: Dated ..... 19 .....

•All assets specifically mortgaged, pledged or otherwise given as security should be set out; goods given as security but in possession of the company and goods not in possession should be separately set out.

No.	Name of	Address & occupation	Nature of claim	Period during which claim accrued due	Date when due	Amount of claim	Amount payable in full	Balance not preferential carried to List
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Signature:  
Dated ..... 19 ...

**LIST 'D' - LIST OF DEBENTURE HOLDERS SECURED BY A FLOATING CHARGE** The names to be arranged in alphabetical order and numbered consecutively

Separate Lists must be furnished of holders of each issue of Debentures, should more than one issue have been made

*Statement of Affairs: List 'D'*

No.	Name of Holder	Address	Amount		Description of assets over which security
			Rs.	nP.	

Signature:

Dated .....19 ..

**LIST 'E' - UNSECURED CREDITORS**

The names to be arranged in alphabetical order and numbered consecutively

*Statement of Affairs: List 'E'*

(1) When there is a contra account against the creditor less than his claim against the company, the amount of the creditor's claim and the amount of the contra account should be shown in the third column and the balance only inserted under the heading 'Amount of Debt' thus :-

*Total amount of claim*  
*Less: Contra account*

Rs. r

No such set-off should be included in Schedule I attached to List 'A'

(2) The particulars of any Bills of Exchange and Promissory Notes held by a creditor should be inserted immediately below the name and address of such creditor.

No.	Name	Address and	Amount of Debt		Date when		Folio of ledger or other book where particulars to be found	Cons ide ratio
			Rs.	nP.	Month	Year		

Signature:  
Dated. .... J9 ...

**LIST 'F' - LIST OF PREFERENCE SHAREHOLDERS**

The name to be arranged in alphabetical order and numbered consecutively

*Statement of Affairs: List 'F'*

Consecutive number	Register number	Name of shareholder	Address	Nominal amount of shares	No. of shares held	Amount per share called un	Total amount called un
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