**Form No. 37**

**[See rule 126]**

**[Heading as in form no 16]**

**LLP Petition No……… of 20……..**

**Statement of affairs under rule 28**

Statement of affairs of the above named LLP as on the…… day of……20…., the date of

petition or the winding up order or the order appointing Provisional Liquidator, as the

case may be.

I/We …….. of……. do solemnly affirm and say that the statement made overleaf and the

several lists hereunto annexed marked `A’ to `G’ are to the best of my/our knowledge and

belief a full, true and complete statement as to the affairs of the above LLP, on the……

day of……20….., the date of the petition or winding-up order or the order appointing

Provisional Liquidator and that the said LLP carried/carried on the following business :

(Here set out nature of LLP business)

……………

Signature(s)

Solemnly affirmed at ……. This……..day of……..20…. Before me.

Commissioner of Oaths or Notary public

STATEMENT OF AFFAIRS AND LISTS TO BE ANNEXED

Statement as to the affairs of………….LLP (LLPIN \_\_\_\_\_\_), on the……..day of…..20,

being the date of the petition or winding up order or order appointing Provisional

Liquidator as the case may be showing assets at estimated realizable value and

liabilities:-

(A)Assets

I. Assets

specifically

mortgaged/pledged

Book Estimated

value realizable

values

Due to

secured

creditors

Deficiency

ranking as

unsecured

Estimated

Surplus

or having fixed

charge (excluding

floating charge)

(as per list `A’)

and

workmen

|  |  |  |
| --- | --- | --- |
| II. Assets not specifically mortgaged/pledged  etc. (as per List `B’) | Book Value  (Rs.) | Estimated  realisable values  (Rs.) |
| Balance at Bank  Cash in hand  Investments  Debtors/Trade receivables  Loans & Advances  Inventories  Freehold Property  Leasehold Property  Plant & Machinery  Furniture, fittings etc.  Intangible Assets  Other Assets (to specify)  Outstanding contribution of the partners |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |
| Freehold Property  Leasehold Property  Plant & Machinery  Furniture, fittings  etc  Inventories  Other assets  …………………  ………………… | Rs. | Rs. | Rs. | Rs. | Rs. |
| Rs. |  |  |  |  |  |

Gross Assets

Rs.

Gross realizable value of assets specifically

mortgaged/pledged/having fixed charge \_\_\_\_\_\_\_\_\_\_\_\_\_

Other assets \_\_\_\_\_\_\_\_\_\_\_\_\_

Gross Assets \_\_\_\_\_\_\_\_\_\_\_\_\_

B. Liabilities

Gross Liabilities \_\_\_\_\_\_\_\_\_\_\_\_\_

Secured creditors including workmen dues. \_\_\_\_\_\_\_\_\_\_\_\_\_

Preferential creditors \_\_\_\_\_\_\_\_\_\_\_\_\_

Creditors having floating charge \_\_\_\_\_\_\_\_\_\_\_\_\_

Unsecured creditor

and contingent liabilities \_\_\_\_\_\_\_\_\_\_\_\_\_

Gross liabilities \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Estimated surplus from assets specifically mortgaged/

pledged/having fixed charge

Assets which are not specifically Mortgaged/pledged etc.

Estimated total assets available for preferential creditors,

creditors having floating charge and unsecured creditors

Preferential creditors (as per List ‘C’)

Estimated balance of assets available for creditors having

floating charge and unsecured creditors

Creditors having floating charge (as per list ‘D’)

Estimated balance of assets available for unsecured creditors

and unsecured balance of creditors partly secured on specific

assets.

Unsecured Creditors etc. (as per List ‘E’)

Estimated balance available to partners

Claim of partners (as per List ’F’)

Rs.

\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_

Note:- Positive balance is treated as ‘Surplus’ and negative balance is treated as

‘Deficiency’

Signature

Dated…………20……….

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Assets | Location  address &  description | Area | Holder of the  title & the  person who is  having the  custody of the  title deeds | Amount |
| Free hold  property  Leasehold  property  Plant and  machinery  Furniture and  fittings  Inventories etc. |  |  |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Particulars of  assets  specifically  mortgaged/  pledged etc, | Date when  security  given | Estimated  value of  security | Name  and  address  of  creditors | Amount  of debt  of  secured  creditors | Workmen dues |
| 1. | 2. | 3. | 4. | 5. | 6. |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Proportion of  amount of  secured  creditors | Proportion of  amount of  workmen dues | Balance of debt  / workmen dues  unsecured  carried to List  ‘D’ | Estimated  surplus from  security |
| 7. | 8. | 9. | 10. |

LIST “**A**” TO THE STATEMENT OF AFFAIRS:

Schedule I

ASSETS SPECIFICALLY MORTGAGED, PLEDGED OR HAVING FIXED CHARGE

(EXCLUDING FLOATING CHARGE) AND CREDITORS INCLUDING WORKMEN,

FULLY OR PARTLY SECURED

Signature Dated…………20……….

Schedule II

Signature Dated…………20……….

Description of Assets Specifically mortgaged /pledged etc

|  |  |  |
| --- | --- | --- |
| II. Assets not specifically mortgaged/pledged  etc. | Book Value  (Rs.) | Estimated  realisable values  (Rs.) |
| Balance at Bank  Cash in hand  Investments  Debtors/Trade receivables  Loans & Advances  Inventories  Freehold Property  Leasehold Property  Plant & Machinery  Furniture, fittings etc.  Intangible Assets  Other Assets (to specify)  Outstanding contribution of the partners |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Name and  address of  the bank | Bank  balance  Rs. | Nature of the  account  (FD/SB/CA) | Account No.  / F.D No. | Person in  whose  custody the  F.D. is lying | Name and  address of  the officer  of the  LLP who  operated  the  account |
|  |  |  | . |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

LIST ‘B’ TO THE STATEMENT OF AFFAIRS

Schedule I

ASSETS NOT SPECIFICALLY MORTGAGED/PLEDGED ETC.

Signature Dated…………20……….

Schedule II

Signature Dated…………20……….

BALANCE AT BANK

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Name and  address  and  whether  related to  designated  partner | Amount | Good  or  bad | Within  limitation  or barred  limitation | When  contacted  and  supporting  documents | Legal  proceeding  instituted(full  details) | Particulars  of any  securities  held | Cr.  Bal. |
|  |  |  | . |  |  |  |  |
|  |  |  |  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Nature of the  investment | Name of the body  corporate/institutions  where invested | Date of  investment | Amount of  investment | Person in  whose  custody  scrip(s) is/are  lying |
|  |  |  | . |  |

|  |  |  |
| --- | --- | --- |
| Amount | Person in  whose custody  the cash is lying | Person who  was handling  the cash in the  LLP |
|  |  |  |
|  |  |  |

Schedule III

CASH IN HAND

Signature Dated…………20……….

Schedule IV

Signature Dated…………20……….

INVESTMENTS

Schedule V

DEBTORS/TRADE RECEIVABLES

Signature Dated…………20……….

(INCLUDING BILLS OF EXCHANGE PROMISSORY NOTES ETC.)

Schedule VI

LOANS & ADVANCES

Name and

address

and

whether

Amount   Good or

bad

Within

limitation

or barred

limitation

When

contacted

and

supporting

Legal

proceeding

instituted(full

details)

Particulars

of any

securities

held

related to

documents

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Assets | Location  address &  description | Area | Holder of the  title & person  in whose  custody the title  deeds are lying | Amount |
| Free hold  property  Leasehold  property  Plant and  machinery  Furniture and  fittings etc. |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name and  address of the  partner | Amount  outstanding | Nature of the  contribution | Since when  outstanding | Any obligation |
|  |  |  |  |  |
|  |  |  |  |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| designated  partner |  |  |  |  |  |  |
|  |  |  | . |  |  |  |
|  |  |  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Description | Amount | Quantity | Location  address | Since when  lying |
|  |  |  | . |  |
|  |  |  |  |  |

Signature Dated…………20……….

Schedule VII

Signature Dated…………20……….

INVENTORIES

Schedule VIII

Signature Dated…………20……….

DESCRIPTION OF OTHER ASSETS

Schedule IX

Signature Dated…………20……….

OUTSTANDING CONTRIBUTION OF THE PARTNERS

LIST ‘C’ TO THE STATEMENT OF AFFAIRS

PREFERENTIAL CREDITORS

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| No. | Name  of  creditor | 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 ’D’ |
|  |  |  | . |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Name of Holder | Address | Amount  Rs. | Description of  assets over  which security  extends |
|  |  |  | . |  |
|  |  |  |  |  |

Signature Dated…………20……….

LIST ‘D’TO THE STATEMENT OF AFFAIRS

Signature Dated…………20……….

CREDITORS HAVING FLOATING CHARGE

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| No. | Name | Address | Amount | Date  when  contacted | Document  in support | consideration |
|  | Unsecured  creditors  -------  -------  -------  -------  Unsecured  balance of  creditors partly  secured brought  from List ‘A’  Balance not  preferential  creditors  brought from  List ‘D’ |  | \_\_\_\_\_\_\_  \_\_\_\_\_\_\_  \_\_\_\_\_\_\_  \_\_\_\_\_\_\_  \_\_\_\_\_\_\_  \_\_\_\_\_\_\_  \_\_\_\_\_\_\_ |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name &  address | Amount of  contribution | Nature of  contribution | Since when the  partner &  whether  designated  partner | Amount of  outstanding  contribution |
|  |  |  |  |  |

LIST ‘E’ TO THE STATEMENT OF AFFAIRS

Signature Dated…………20……….

UNSECURED CREDITORS ETC,

LIST ‘F’ TO THE STATEMENT OF AFFAIRS

Signature Dated…………20……….

LIST OF PARTNERS

LIST ‘G’ TO STATEMENT OF AFFAIRS

DEBT DUE FROM PARTNERS

No. Name Residential Amount of Debts Details of

When

Particulars

address

documents in

support

contracted

and whether

good or bad

of any

security

held for

debt

Note:- Contra entry shall be disclosed with full details.

Signature

Dated…………20…