**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/pledgedetc. (as per List `B’) | Book Value(Rs.) | Estimatedrealisable values(Rs.) |
| Balance at BankCash in handInvestmentsDebtors/Trade receivablesLoans & AdvancesInventoriesFreehold PropertyLeasehold PropertyPlant & MachineryFurniture, fittings etc.Intangible AssetsOther Assets (to specify)Outstanding contribution of the partners |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |
| Freehold PropertyLeasehold PropertyPlant & MachineryFurniture, fittingsetcInventoriesOther 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 | Locationaddress &description | Area | Holder of thetitle & theperson who ishaving thecustody of thetitle deeds | Amount |
| Free holdpropertyLeaseholdpropertyPlant andmachineryFurniture andfittingsInventories etc. |  |  |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Particulars ofassetsspecificallymortgaged/pledged etc, | Date whensecuritygiven | Estimatedvalue ofsecurity | Nameandaddressofcreditors | Amountof debtofsecuredcreditors | Workmen dues |
| 1. | 2. | 3. | 4. | 5. | 6. |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Proportion ofamount ofsecuredcreditors | Proportion ofamount ofworkmen dues | Balance of debt/ workmen duesunsecuredcarried to List‘D’ | Estimatedsurplus fromsecurity |
| 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/pledgedetc. | Book Value(Rs.) | Estimatedrealisable values(Rs.) |
| Balance at BankCash in handInvestmentsDebtors/Trade receivablesLoans & AdvancesInventoriesFreehold PropertyLeasehold PropertyPlant & MachineryFurniture, fittings etc.Intangible AssetsOther Assets (to specify)Outstanding contribution of the partners |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Name andaddress ofthe bank | BankbalanceRs. | Nature of theaccount(FD/SB/CA) | Account No./ F.D No. | Person inwhosecustody theF.D. is lying | Name andaddress ofthe officerof theLLP whooperatedtheaccount |
|  |  |  | . |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

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 andaddressandwhetherrelated todesignatedpartner | Amount | Goodorbad | Withinlimitationor barredlimitation | Whencontactedandsupportingdocuments | Legalproceedinginstituted(fulldetails) | Particularsof anysecuritiesheld | Cr.Bal. |
|  |  |  | . |  |  |  |  |
|  |  |  |  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Nature of theinvestment | Name of the bodycorporate/institutionswhere invested | Date ofinvestment | Amount ofinvestment | Person inwhosecustodyscrip(s) is/arelying |
|  |  |  | . |  |

|  |  |  |
| --- | --- | --- |
| Amount | Person inwhose custodythe cash is lying | Person whowas handlingthe cash in theLLP |
|  |  |  |
|  |  |  |

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 | Locationaddress &description | Area | Holder of thetitle & personin whosecustody the titledeeds are lying | Amount |
| Free holdpropertyLeaseholdpropertyPlant andmachineryFurniture andfittings etc. |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name andaddress of thepartner | Amountoutstanding | Nature of thecontribution | Since whenoutstanding | Any obligation |
|  |  |  |  |  |
|  |  |  |  |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| designatedpartner |  |  |  |  |  |  |
|  |  |  | . |  |  |  |
|  |  |  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Description | Amount | Quantity | Locationaddress | Since whenlying |
|  |  |  | . |  |
|  |  |  |  |  |

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. | Nameofcreditor | Address &occupation | Natureofclaim | Periodduringwhichclaimaccrueddue | Datewhendue | Amountofclaim | Amountpayablein full | Balancenotpreferentialcarried toList ’D’ |
|  |  |  | . |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Name of Holder | Address | AmountRs. | Description ofassets overwhich securityextends |
|  |  |  | . |  |
|  |  |  |  |  |

Signature Dated…………20……….

LIST ‘D’TO THE STATEMENT OF AFFAIRS

Signature Dated…………20……….

CREDITORS HAVING FLOATING CHARGE

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| No. | Name | Address | Amount | Datewhencontacted | Documentin support | consideration |
|  | Unsecuredcreditors----------------------------Unsecuredbalance ofcreditors partlysecured broughtfrom List ‘A’Balance notpreferentialcreditorsbrought fromList ‘D’ |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name &address | Amount ofcontribution | Nature ofcontribution | Since when thepartner &whetherdesignatedpartner | Amount ofoutstandingcontribution |
|  |  |  |  |  |

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…