

**LIMITED LIABILITY PARTNERSHIP (WINDING UP AND
DISSOLUTION) RULES, 2012**

Form No. 74
[See rule 225]
[Heading as in form no 16]
LLP Petition No..... of 20.....
LLP Application No. of 20.....

Liquidator of the LLP ... Applicant

Versus

_____ Respondent

Summons under rule 225

Let all parties attend the sitting Member in Chambers on daythe day..... of 20.....at....o'clock on the hearing of an application under rule 225 on the part of the Liquidator of the LLP aforesaid or, Sh.....,of a creditor/partner of the said LLP for the following declarations and order:-

1. A declaration that business of the said LLP was carried on from the..... 20..... to the20..... (the date of the commencement of the winding-up of the LLP), with intent to defraud creditors and for other fraudulent purposes by reason of the fact that (Here set out the facts showing the fraudulent purposes, e.g., that the LLP continued to trade and to obtain goods on credit and to incur other liabilities without any means or prospect of being able to pay or provide for payment thereof,) and that the respondents as the.....of the LLP were knowingly parties to the carrying on of the business of the said LLP in the manner aforesaid.
2. A declaration that the respondents..... (Names)..... shall be personally responsible, without any limitation of liability, for all the debts or other liabilities of the LLP.
3. A declaration that the said respondents are jointly and severally liable to pay to the Liquidator sums amounting to Rs..... being the amount of debts owing by the LLP in respect of goods supplied to or services rendered to or other liabilities incurred by the said LLP during the period aforesaid or such part of the said sums as to the NCLTBench shall seem fit after due inquiry.

4. An order for payment to the Liquidator by the said respondents of the said sum of Rs..... or such other sum as to the NCLT_Bench shall seem fit.
5. An order that for the purpose of giving effect to the foregoing declaration, the liability of the respondent..... (name) shall constitute a first charge on (Here set out the debt, mortgage or interest of the respondent on which the charge is created), and that the liability of the respondent Sh....., thereunder shall be and constitute a first charge on the Sh..... issued by the said LLP to him and the money secured thereby.
6. An order that the respondents do pay to the applicant costs of and incidental to this application.

7. Such other order in the premises as the NCLT Bench shall think fit to make.

Dated this..... day of.....20.....

Registrar of Tribunal

This summons was taken out by Shri..... authorized representative for the applicant

To

.....(respondents)

.....

Note: If you do not attend, either in person or by your authorized representative, at the time and place above mentioned, such order will be made and proceedings taken as the Member may think just and expedient.