

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

Form No. 81

[See rule 234]

[Heading as in form no 16]

LLP Petition No..... of 20.....

LLP Application No.....of 20.....

Sh.....-----Applicant

Sh..... -----Respondent

**Order requiring parties interested in disclaimed lease to apply for
vesting order or to be excluded from all interest in the leasehold
premises**

1. Whereas it appears by the affidavit of..... and the affidavit of.....
filed respectively in the above matter on.....20....., and20....., that
:-
 - (a) By a lease dated the20....., and made between Sh....., the applicant herein of the one part and the above-named LLP (hereinafter called 'the LLP') of the other part, the premises comprising.....(give particulars) were demised unto the LLP for a term of..... years from.....20..... at a rental of Rs..... per annum (or per mensem);
 - (b) By a sub-lease dated the20....., made between the LLP of the one part and Sh....., the respondent of the other part, in consideration of the payment therein made and the covenants and conditions therein named, the LLP demised (part* of) the said premises to the said Sh....., the respondent [or by a mortgage or charge dated.....20....., and the LLP charged the said premises to secure the repayment of a sum of Rs..... together with interest at..... per cent per annum in favour of the said Sh.....the respondent].
2. And whereas on the20....., an order was made for the winding-up of the LLP by NCLTBench or the LLP resolved to be wound - up voluntarily and Shriwas appointed liquidator for purposes of winding-up;
3. And whereas the Liquidator or LLP Liquidator of the said LLP was by order dated.....20..... given leave to disclaim the said lease;
4. And whereas the said Liquidator or LLP Liquidator of the above-named LLP on the20..... gave notice of his intention to disclaim

the said lease, and by writing under his hand dated.....20....., disclaimed the said lease, and filed such disclaimer in these proceedings on the20..... and served notice thereof on or about the20.... on the said Sh....., the applicant;

Now upon the application by summons dated....20....., of the said Sh....., the applicant, of.... for an order that the respondent, Sh....., do elect whether he will or will not take a vesting order of the disclaimer property comprised in the said lease, being.....(give particulars of the property);

This NCLT Bench doth order that unless the said respondent Sh.....within 14 days after the service of this order on him applies for a vesting order of the said lease subject to the same liabilities and obligations as those to which the LLP was subject under the lease in respect of the property on.....20....., the date of the commencement of the winding-up (or subject to the same liabilities and obligations as if the said lease had been assigned to him on....20..... the date of the commencement of the winding-up of the said LLP), the said Sh....., the respondent be excluded from all interest in and security upon the said premises.

That this summons do stand adjourned for further orders to.....20....., for service of this order on the said Sh....., the respondent.

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

(By the NCLT.....Bench)

Registrar of Tribunal

*If different parts have been sub-leased to different persons, repeat the provision to cover all such sub-leases.