
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 7

WINDING UP BY THE COURT

CHAPTER 3

Petition for winding-up order

Permission for the petitioner to withdraw

7.13.—(1) The court may order that the petitioner has permission to withdraw the petition on such terms as to costs as the parties may agree if at least five business days before the first hearing the petitioner, on an application without notice to any other party, satisfies the court that—

- (a) notice of the petition has not been given under rule 7.10;
 - (b) no notices in support or in opposition to the petition have been received by the petitioner; and
 - (c) the company consents to an order being made under this rule.
- (2) The order must contain—
- (a) identification details for the company;
 - (b) the date the winding-up petition was presented;
 - (c) the name and postal address of the applicant;
 - (d) a statement that upon the application made without notice to any other party by the applicant named in the order the court is satisfied that notice of the petition has not been given, that no notices in support of or in opposition to the petition have been received by the petitioner and that the company consents to this order; and
 - (e) an order that, with the permission of the court, the petition is withdrawn.