
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 7

WINDING UP BY THE COURT

CHAPTER 4

Petition by a contributory or a relevant office-holder

Presentation and service of petition

- 7.29.**—(1) The petition with one copy must be filed with the court.
- (2) The petition may not be filed unless a receipt for the deposit payable to the official receiver is produced on presentation of the petition.
- (3) The court must fix a hearing for a return day on which, unless the court otherwise directs, the petitioner and the company must attend before the court for—
- (a) directions to be given in relation to the procedure on the petition; or
 - (b) the hearing of the petition where—
 - (i) it is presented by a relevant office-holder, and
 - (ii) the court considers it just in all the circumstances.
- (4) On fixing the return day, the court must deliver to the petitioner a sealed copy of the petition endorsed with the return day and time of hearing.
- (5) The petitioner must serve a sealed copy of the petition on the company at least 14 days before the return day.
- (6) Where a member State liquidator has been appointed in main proceedings in relation to the company, the petitioner must deliver a copy of the petition to the member State liquidator.