



**In re Multiple Solutions Ltd (Insolvency Cause E002 of 2023)
[2023] KEHC 21038 (KLR) (25 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 21038 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
INSOLVENCY CAUSE E002 OF 2023
DKN MAGARE, J
JULY 25, 2023
IN THE MATTER OF MULTIPLE SOLUTIONS LTD
AND
IN THE MATTER OF THE INSOLVENCY ACT NO. 15 OF 2015
AND
IN THE MATTER OF AN APPLICATION BY GLOBE TROTTERS LIMITED**

RULING

1. The Applicant filed a petition dated February 6, 2023 seeking liquidation of multiple solutions ltd. The debt due to the Applicant, Globe Trollers Limited is said to be a sum of USD 109,038. The Respondent company is a company registered in Kenya under certificate No C.161783, having been incorporated on September 22, 2008. Its share capital is Ksh 1,000,000 divided into 100 shares of 10,000/= each.
2. The Respondent is said to be indebted to a sum of USD as at May 19, 2022. A statutory notice was issued on May 19, 2022. This petition was subsequently filed on February 8, 2023 and served on multiple solutions limited on February 22, 2023. The petition that the respondent company multiple solutions limited has been unable to pay debts is made under section 424(1) of [Insolvency Act, 2015](#).
3. No response was filed. I have perused a statement marked as HBS 4 and note that the said amount of USD 109, 038 is admitted to be due for over 90 days. The Applicant is qualified to make the order by virtue of being a creditor under Section 425 (1) b of the [Insolvency Act](#).
4. I have read the petition and the verifying affidavit in support. I have also read the affidavits of service and I note, prima facie that the Respondent company was duly served and did not oppose the petition.
5. The debt is due and owing and has been outstanding despite notices and service of the insolvency notice upon the Debtor company. I have no reason to doubt the veracity of the documents showing indebtedness and service of notice.



6. I therefore allow the application for appointment of an interim liquidator under Section 427 (1) c, of the *Insolvency Act*.
7. Further an order of liquidation is hereby issued against multiple solution limited placing an interim liquidation pending further orders of the court. I also directed that it be notified for purposes of section 429 of these always *Act* that there shall be no disposal of all income and assets of the company without a court order to that effect.
8. The applicants are to indicate to the court within the next 14 days, a person qualified to be appointed liquidator. In the meantime, and the interim the official receiver is constituted as the interim Liquidator forthwith.
9. This order shall be served physically and in the two newspapers of Nationwide circulation in the next 7 days the matter shall be mentioned within 14 days to confirm lodging of the order with the Official Receiver, the Registrar and Appointment of the interim Liquidator till the Court otherwise directs.
10. The effect of this order is that the meantime cease to have powers to act on behalf of the company unless they challenge this order.
11. The *Insolvency Act* provides that act provides and the official receiver may require search records and statement as contemplated under Section 433 of the *Insolvency Act* in the same shall be complied without fail in the matter has been mentioned during the location on 14th of August it is ordered.

Determination

12. The upshot of the foregoing is that I make the following orders: -
 - a. The court hereby issues an liquidation order against Multiple Solutions Limited'
 - b. The official receiver be constituted as the liquidator.
 - c. The applicate to indicate, in the next 14 days, a person to be appointed as a liquidator.
 - d. This order shall be served physically and in the two newspapers of Nationwide circulation in the next 7 days the matter shall be mentioned within on August 14, 2023 to confirm lodging of the order with the Official Receiver, the Registrar and Appointment of the interim Liquidator till the Court otherwise directs.
 - e. The matter be fixed for further directions

DELIVERED, DATED AND SIGNED AT MOMBASA ON THIS 25TH DAY OF JULY, 2023.

KIZITO MAGARE

JUDGE

