

IN THE FEDERAL HIGH COURT OF NIGERIA  
IN THE PORT HARCOURT JUDICIAL DIVISION  
HOLDEN AT PORT HARCOURT  
ON FRIDAY THE 12<sup>TH</sup> DAY OF NOVEMBER, 2021  
BEFORE HIS LORDSHIP  
HON. JUSTICE S. DALYOP PAM [JUDGE]

SUIT NO: FHC/PH/CP/11/2021

BETWEEN:

1. MR. PHILLIP PAUL AKOR }  
2. MR. NATHANIEL PAUL AKOR } PETITIONERS

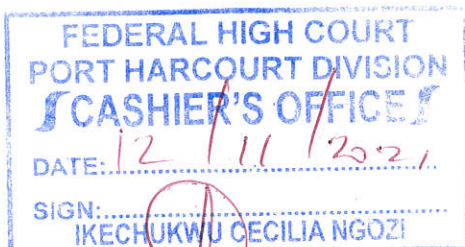
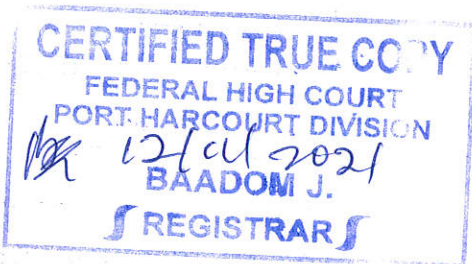
AND

BENIGNANT FORTE NIGERIA LIMITED == == == RESPONDENT

**ORDER**

UPON THIS MOTION ON NOTICE dated and filed 9<sup>th</sup> day of November, 2021 and praying this Honourable Court for the following reliefs:

1. An Order of this Honourable Court granting leave to the Petitioner/Applicant to have the petition filed on 9<sup>th</sup> November, 2021 advertised in accordance with Rule 19 of the Companies



Winding-Up Rules, 2001 by advertising the petition once in:

- (a) The Federal Gazette; and
- (b) One National Daily Newspaper, to wit: The Punch Newspaper, and
- (c) One other Newspaper, to wit: The Daily Trust Newspaper, which is widely circulating in Abuja FCT being the State where the Respondent's principal place of business is situate.

2. And such other order(s) as this Honourable Court may deem fit to make in the circumstances.

**AFTER READING** the Affidavit in Support of Motion paper with the attached exhibits sworn to by **Mr. Phillip Paul Akor**, adult, male, Christian, Nigerian citizen of No. 12 Calvary Road, Maraba, Karu, Nasarawa State and filed at this Court's Registry;



AND AFTER HEARING A. Akinwale, Esq. Learned Counsel for the Petitioners appearing with O. Nwaogu moved in term of this Motion paper and P.I. Green for the Respondent not opposing.

AND this Honourable Court having ruled this 12<sup>th</sup> day of November, 2021.

IT IS HEREBY ORDERED AS FOLLOWS:

1. That order is made granting leave to the Petitioner/Applicant to advertised the Petition filed on 9<sup>th</sup> November, 2021 in accordance with Rule 19 of the Companies Winding Up Rules 2001, by advertising the Petition once in:
  - (a) The Federal Gazette
  - (b) One Natural Daily Newspapers to wit: The Punch Newspaper
  - (c) One other Newspaper to wit: The Daily Trust Newspaper.
2. That this matter is by the order of this Honourable Court adjourned to the 19<sup>th</sup> day of November, 2021

ISSUED AT PORT HARCOURT under the seal of the court and the Hand of the Presiding Judge this 12<sup>th</sup> day of November, 2021.

  
CLOVIS-OKEREKE O.P. ESQ.

Registrar



  
HON. JUSTICE S. DALYOP PAM  
JUDGE

3

11-12-2021

IN THE FEDERAL HIGH COURT OF NIGERIA  
IN THE PORT HARCOURT JUDICIAL DIVISION  
HOLDEN AT PORT HARCOURT

11/2021

SUIT NO. FHC/PH/CP/...../2021

IN THE MATTER OF THE COMPANIES AND ALLIED MATTERS ACT, 2020

AND

IN THE MATTER OF AN APPLICATION BROUGHT UNDER SECTIONS 620(B) AND 649 OF  
THE COMPANIES AND ALLIED MATTERS ACT, 2020

AND

IN THE MATTER OF THE WINDING UP BY THE COURT  
OF BENIGNANT FORTE NIGERIA LIMITED

*Granted*  
*12/11/21*

BETWEEN:

1. MR. PHILLIP PAUL AKOR
2. MR. NATHANIEL PAUL AKOR



PETITIONERS

AND

BENIGNANT FORTE NIGERIA LIMITED

RESPONDENT

To His Lordship, the Judge of the Federal High Court

**THE HUMBLE PETITION** of MR. PHILLIP PAUL AKOR of 12 Cavalry Road, Maraba, Karu, Nasarawa State, and Mr. Nathaniel Paul Akor of 12 Cavalry Road, Maraba, Karu, Nasarawa State shows as follows:

1. Benignant Forte Nigeria Limited (hereinafter called "the Company") was incorporated on the 8<sup>th</sup> July 2020 as Benignant Trading Nigeria Limited, and changed to Benignant Forte Nigeria Limited with Certificate issued on the 22<sup>nd</sup> March 2021 by the Corporate Affairs Commission under the Companies and Allied Matters Act, 2020, as a private company limited by shares.
2. The registered office of the Company is situate at **SUITE C10-C12 DATUNCHI PLAZA MICHAEL AKHIGBE STREET, ABUJA, Federal Capital Territory, NIGERIA, within the Jurisdiction of the Federal High Court of Nigeria.**
3. The nominal capital of the Company is ₦1,000,000.00 divided into 1,000,000 ordinary shares of ₦1.00 each. The amount of the capital credited as paid up is ₦1,000,000.00.
4. The objects for which the Company is set up are as follows:
  - a. To engage in the business of commodity prospecting and trading.
  - b. To engage in the business of sales of general goods and merchandize and to act as manufactures' representative.
  - c. To engage in the business of virtual trading and investment and ancillary services.



- d. To engage in the business of logistics management, haulage and warehousing. 4
- e. To engage in the business of real estate investment, development and agency.
- f. To act as general contractors and contract managers.
- g. To do all such other things as may be incidental or conducive to the attainment of the above objects or any of them.

and other objects set forth in the Memorandum of Association thereof.

5. The Company was formed for the purpose of Logistics Management, Haulage and Warehousing, General Goods, Merchandising, Real Estate Development and agency, Commodity Prospecting and Trading, Investments and Ancillary Services.
6. The circumstances giving rise to this petition are as follows:
- (1) The 1<sup>st</sup> Petitioner is the Managing Director/Chief Executive Officer of the Respondent, Benignant Forte Nigeria Ltd. He holds 800, 000 of the 1, 000, 000 ordinary shares of the Company. The 2<sup>nd</sup> Petitioner is also director of the Respondent Benignant Forte Nigeria Ltd and hold 200, 0000 of the 1, 000, 000 ordinary shares of the Company. They reside at 12 Cavalry Road, Maraba, Karu, Nasarawa State.
  - (2) The Company is a private limited liability company incorporated in Nigeria. The Company was created for the purpose of purpose of Logistics Management, Haulage and Warehousing, General Goods, Merchandising, Real Estate Development and Agency, Commodity Prospecting and Trading, Investments and Ancillary Services. The Company has a nominal share capital of One Million Naira (N1,000,000.00). The petitioners are the only shareholders in the Company. The 1<sup>st</sup> Petitioner has Eight Hundred Thousand (800,000) shares, the 2<sup>nd</sup> Petitioner has Two Hundred Thousand (200,000) shares. Certified true copies of the following documents of the Company are herewith attached as indicated below:
    - (a) Certificate of incorporation – **Exhibit 1**
    - (b) Memorandum and Articles of Association – **Exhibit 2**
  - (3) The Company operated profitably, acquiring capital assets worth approximately N1,000,000,000 and establishing a successful haulage, logistics and real estate business.
  - (4) That to diversify and expand its business, the Respondent adopted a crowdfunding model, establishing an investment scheme whereby investors could participate in an investment scheme of the company to expand its business with fixed monthly Returns on Investments. The proceeds were used to expand its haulage business and develop real estate projects in Nigeria.
  - (5) That in June 2021 the Securities & Exchange Commission (SEC) placed restrictions on the accounts of the Company; when the Petitioner inquired to know why the restriction was placed, they were advised that the crowdfunding investment scheme was contrary to SEC regulations and that such investment scheme needed to be approved by the SEC. Upon application for approval, they were further advised that the scheme was such that it was not contemplated by Nigerian law and there was insufficient framework in Nigerian law to regulate such a scheme and prevent abuses, and as such the SEC would not be approving the Scheme.



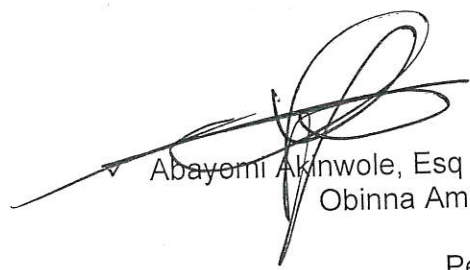
- (6) That liabilities to investors in the scheme amount to approximately One Billion Naira (₦1,000,000,000.00). However, the Real Estate scheme and the Logistic businesses continue to generate income sufficient to pay off the liabilities within a year.
  - (7) That to honorably pay off investors, the company at Extraordinary General Meeting passed special resolution that the Company be voluntarily wound up, assets managed and realized for the purpose of paying off liabilities and investors in an orderly and honorable manner. Copy of the Resolution is attached as Exhibit 3.
  - (8) That the Directors have endorsed the required Statutory Declaration of Solvency (Copy attached as Exhibit 4).
  - (9) That it was also agreed at the Meeting to appoint Emeka Dite Abiola Ojoko (Legal Practitioner) of the Law firm of Ojoko & Ojoko, 15 Mbonu Street D/Line, Port Harcourt, a noted Insolvency practitioner, as Liquidator, subject to the approval of the Court. His remuneration and costs are to be realized from the assets.
7. In these circumstances, your petitioners submit that it is just and equitable that the Company be wound up.

**YOUR PETITIONER** therefore humbly prays as follows:

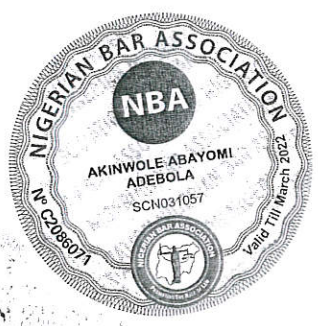
- 1. That Benignant Forte Nigeria Limited be wound up by the Court under the provisions Sections 620(b) and 649 of the Companies and Allied Matters Act 2020.
- 2. Or that such Order may be made in the premises as shall be just.

This Petition was settled by **Abayomi Akinwole (FICMC, MCIARB)**., Solicitor of **MESSRS. ILS Attorneys** of #3 Azikiwe Road, Port Harcourt, Rivers State, Legal Practitioners for the above-named Petitioners.

Dated this 9th day of November 2021



Abayomi Akinwole, Esq (FICMC, MCIARB)  
Obinna Amanze Nwoagu Esq.  
for: **ILS Attorneys**  
Petitioners' Solicitors  
3, Azikiwe Road  
Port Harcourt  
Rivers State, Nigeria  
Tel.: 08032012820



Email: [abayomi.akinwole@nigerianbar.ng](mailto:abayomi.akinwole@nigerianbar.ng)

9/11/21

NOTE: It is intended to serve this petition on:

- 1. Benignant Forte Nigeria Limited  
SUITE C10-C12 Datunchi Plaza  
Michael Akhigbe Street  
Abuja, Fct, Nigeria

**FEDERAL HIGH COURT  
PORT HARCOURT DIVISION  
CASHIERS' OFFICE**

DATE: 12/11/2021  
SIGN: IKECHIUKWU CECILIA NGOZI

Petition — ₦2000.00  
 Filing — ₦60.00  
 v/aff — ₦60.00  
 s/lc — ₦200.00  
 A Exh — ₦80.00  
₦2,480.00

**CERTIFIED TRUE COPY**  
FEDERAL HIGH COURT  
PORT HARCOURT DIVISION  
12/11/2021  
**BAADOM J.**  
**REGISTRAR**

RRR LSDS - 7290 - 6378

2. Emeka D. A. Ojoko, ACI Arb, ABR, FIDR  
(Appointed as Liquidator by the Company)  
Whose address for Service is Ojoko & Ojoko  
15 Mbonu Street, D/Line  
Port Harcourt  
emeka.ojoko@nigerianbar.ng; emeka@ojokoandojoko.com

6

**CERTIFIED TRUE COPY**  
FEDERAL HIGH COURT  
PORT HARCOURT DIVISION  
*BAADOM J.*  
12/11/2021  
**REGISTRAR**

IN THE FEDERAL HIGH COURT OF NIGERIA  
IN THE PORT HARCOURT JUDICIAL DIVISION  
HOLDEN AT PORT HARCOURT

7



SUIT NO. FHC/PH/CP/

IN THE MATTER OF THE COMPANIES AND ALLIED MATTERS ACT, 2020

AND

IN THE MATTER OF AN APPLICATION BROUGHT UNDER SECTIONS 620(B) AND 649 OF  
THE COMPANIES AND ALLIED MATTERS ACT, 2020

COMMISSIONER FOR OATHS  
PORT HARCOURT  
DATE:.....  
SIGN: BAADON J.

AND

IN THE MATTER OF THE WINDING UP BY THE COURT  
OF BENIGNANT FORTE NIGERIA LIMITED

BETWEEN:

1. MR. PHILLIP PAUL AKOR ..... PETITIONERS
2. MR. NATHANIEL PAUL AKOR

AND

BENIGNANT FORTE NIGERIA LIMITED ..... RESPONDENT

AFFIDAVIT VERIFYING PETITION

I, **MR. PHILLIP PAUL AKOR**, adult, male, Christian, Nigerian citizen, of 12 Cavalry Road, Maraba, Karu, Nasarawa State, do hereby make oath and state as follows:-

1. I am the 1<sup>st</sup> Petitioner in this action, thus, conversant with the facts deposed to herein. I have the consent and authority of the 2<sup>nd</sup> Petitioner to depose to this affidavit on his behalf.
2. The statements in the petition filed alongside this affidavit attached hereto, now produced and shown to me, as relate to my own acts and deeds are true, and such of the statements as relate to the acts and deeds of any other person or persons I believe to be true.
3. I swear to this affidavit in good faith, in accordance with the Oaths Act, 1990, as amended.

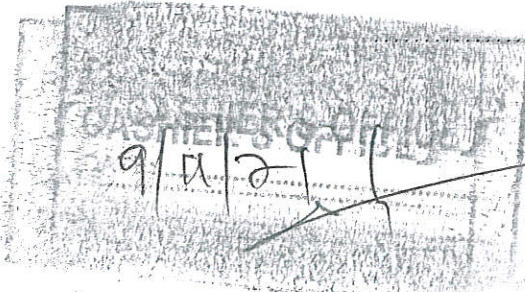
Sworn to at the Federal High Court, Registry, Port Harcourt,

this 9<sup>th</sup> day of November, 2021

Before Me

*Phillip Paul Akor*  
Deponent

FEDERAL HIGH COURT  
PORT HARCOURT DIVISION  
CASHIER'S OFFICE  
DATE: 12/11/2021  
SIGN: SHUKWU CECILIA NGOZI



COMMISSIONER FOR OATHS  
FEDERAL HIGH COURT  
PORT HARCOURT DIVISION  
DATE: 9/11/2021  
SIGN: BAADON J.

CERTIFIED TRUE COPY  
FEDERAL HIGH COURT  
PORT HARCOURT DIVISION  
DATE: 12/11/2021  
SIGN: BAADON J.  
REGISTRAR





Feb 1

FEDERAL REPUBLIC OF NIGERIA

Certificate of Incorporation

OF

A PRIVATE COMPANY LIMITED BY SHARES

The Registrar – General of Corporate Affairs Commission

hereby certifies that

**BENIGNANT FORTE NIG. LTD**

**COMPANY REGISTRATION NO.1683705**

*previously called BENIGNANT TRADING NIGERIA LIMITED which name was changed by special resolution and with my authority on the Twenty Second day of February, 2021 was incorporated under the Companies and Allied Matters Act as a Limited Company, on the Eighth day of July, 2020*

*Given under my hand at Abuja, Nigeria*

*This Twenty Second day of March, 2021*



**A. G. ABUBAKAR**  
Registrar - General

**CERTIFIED TRUE COPY**

**FEDERAL HIGH COURT  
PORT HARCOURT DIVISION**

*BAADOM J.*  
**REGISTRAR**



**FEDERAL REPUBLIC OF NIGERIA  
COMPANIES AND ALLIED MATTERS ACT, 2020  
COMPANIES LIMITED BY SHARES  
MEMORANDUM OF ASSOCIATION  
OF**

**BENIGNANT FORTE NIG. LTD**

1. The name of the Company is: **BENIGNANT FORTE NIG. LTD**
2. The Registered office of the Company will be situated in Nigeria.
3. The objects for which the Company is established are:
  - A. To Engage In The Business Of Commodity Prospecting And Trading.
  - B. To Engage In The Business Of Sales Of General Goods And Merchandize And To Act As Manufactures' Representative.
  - C. To Engage In The Business Of Virtual Trading And Investment And Ancillary Services.
  - D. To Engage In The Business Of Logistics Management, Haulage And Warehousing.
  - E. To Engage In The Business Of Real Estate Investment, Development And Agency.
  - F. To Act As General Contractors And Contract Managers.
4. The Company is a Private Company
5. The liability of the members is Limited By Shares
6. The nominal share capital of the Company is ₦1,000,000.00 divided as follows:

Total ORDINARY

₦150,000,000.00 (ONE HUNDRED FIFTY MILLION NAIRA) divided into 150000000 of 1 each

We, the several persons whose names and addresses are subscribed hereunder, are desirous of being formed into a Company in pursuance of this Articles of Association, and we respectively agree to take the number of shares in the capital of the Company set opposite our respective names.

SN	NAME AND ADDRESS OF SUBSCRIBER	NO. OF SHARES TAKEN BY EACH SUBSCRIBER	SIGNATURES OF SUBSCRIBERS
	Name: AKOR PHILIP PAUL		
1	Address: NO 12, CALVARY ROAD, OFF ASO ROAD, MARARABA, MARARABA, KARU, NASARAWA STATE,	800,000	
Corporate Affairs Commission Certified Extract  <b>A. G. ABUBAKAR</b> Registrar General Jun 29, 2021			
Verify Electronic Stamp here: <a href="http://stampduty.gov.ng/verification">http://stampduty.gov.ng/verification</a>		Stamp Duty Cert. No:	2020-2159-80077-00724



12

2	Name: AKOR PAUL NATHANIEL  Address: NO 12, CALVARY ROAD, OFF ASO ROAD, MARARABA, MARARABA, KARU, NASARAWA STATE,	200,000	
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Dated this	7	Day of	July		20	20
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Particulars of witness to the above signatures:

1.	Name of Witness:	AHIABA PRAISE
	Address of Witness:	
	Occupation of Witness:	

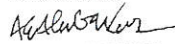
FEDERAL REPUBLIC OF NIGERIA  
 COMPANIES AND ALLIED MATTERS ACT, 2020  
 COMPANIES LIMITED BY SHARES  
 ARTICLES OF ASSOCIATION  
 OF  
 BENIGNANT FORTE NIG. LTD

COMMISSIONS AND BROKERAGE

The company may exercise the powers of paying commissions conferred by section 131 of the Act, provided that the rate per cent or the amount of the commission paid or agreed to be paid shall be disclosed in the manner required by the said section. Such commission may be satisfied by the payment of cash or the allotment of fully or partly paid shares or partly in one way and partly in the other. The company may also on any issue of shares pay such brokerage as may be lawful.

ALTERATION OF CAPITAL

The company may from time to time by ordinary resolution effect an alteration of its share capital in any of the ways set out in section 100 of the Act. Subject to the provisions of the Act on reduction of capital, the company may, whenever it considers it expedient to do so, by special resolution reduce its share capital, any capital redemption fund or any share premium account.

MEETINGS			
Corporate Affairs Commission Certified Extract  A. G. ABUBAKAR Registrar General Jun 29, 2021			
Verify Electronic Stamp here:	<a href="http://www.cac.gov.ng">http://www.cac.gov.ng</a>	Stamp Duty Cert. No:	2021-0198-0017-00754

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 FEDERAL HIGH COURT  
 PORT HARCOURT DIVISION  
  
**BAADOM J.**  
**REGISTRAR**

13

The annual general meeting shall be held at such time and place as the director shall appoint. The chairman, if any, of the board of directors shall preside as chairman at every general meeting of the company, or if there is no such chairman, or if he is not present within thirty minutes after the time appointed for the holding of the meeting or is unwilling to act, the director present shall elect one of their number to be chairman of the meeting. If at any meeting no director is willing to act as chairman or if no director is present within thirty minutes after the time appointed for the meeting, the members present shall choose one of their number to be chairman of the meeting.

#### VOTING

No member shall be entitled to vote at any general meeting unless all calls or other sums payable by him in respect of shares in the company have been paid.

#### THE SEAL

The directors shall provide for the safe custody of the seal, which shall only be used by the authority of the director or of a committee of the directors authorised by the director that behalf and every instrument to which the seal is affixed shall be signed by the director and countersigned by the secretary or by a second director or by some other person appointed by the directors for the purpose.

#### NOTICE

A notice may be given by the company to any member either personally or by sending it by post to him or to his registered address, or (if he has no registered address within Nigeria) to the address, if any, within Nigeria supplied by him to the company for the giving of notice to him. Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, prepaying, and posting a letter containing the notice and to have been effected at the expiration of seven days after the letter containing the same is posted.

#### INTERPRETATION

In this regulations, "the Act" means the Companies and Allied Matters Act.

Unless the content otherwise requires, words or expressions contained in these regulations bear the same meaning as in the Act.

#### CLASS OF SHARES



The company may from time to time issue classes of shares. It shall be the responsibility of the directors to determine the classes of shares to be issued. All the rights or restrictions attached to each particular class of shares shall be specified in the terms of issue but such rights may at any time be varied in accordance with the provisions of section 141 of the Act.

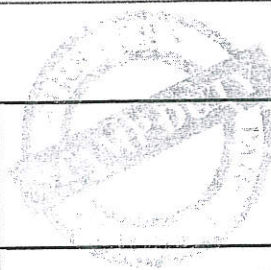

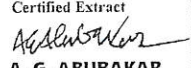
#### RESTRICTIONS ON TRANSFER OF SHARES

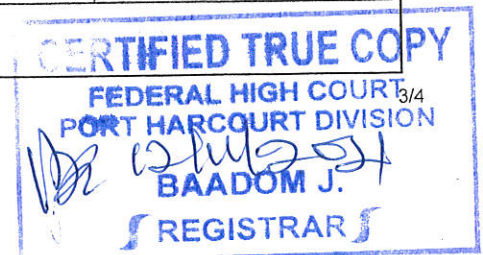
The directors may in their absolute discretion and without giving any reason, refuse to register any transfer of any share, whether or not it is fully paid share.

#### PRE-EMPTIVE RIGHTS OF SHAREHOLDERS OF THE COMPANY


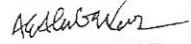
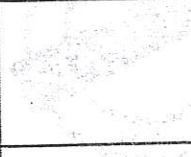
The company shall not allot any new or unissued shares unless the same are offered in the first instance to all the shareholders or to all the shareholders of the class or classes being issued in proportion as nearly as may be to their existing holdings. The offer to existing shareholders shall be by notice specifying the number of shares to which the shareholder is entitled to subscribe and limiting a time, not being less than twenty-eight days after the service of the notice, after the expiration of which the offer, if not accepted, will be deemed to be declined. On the receipt of an intimations from the shareholder that he declines to accept the shares offered or after the expiration of the stipulated time, as the case may be, the board of directors may, subject to the terms of any resolution of the company, dispose of the shares at a price not less than that specified in the offer, in such manner as they think most beneficial to the company. Regulations 4 and 5 above are not alterable except with the unanimous consent of all the members of the company.

SN	NAME AND ADDRESS OF SUBSCRIBER	NO. OF SHARES TAKEN BY EACH SUBSCRIBER	SIGNATURES OF SUBSCRIBERS
1	Name: AKOR PHILIP PAUL Address: NO 12, CALVARY ROAD, OFF ASO ROAD, MARARABA, MARARABA, KARU, NASARAWA STATE,	800,000	
2	Name: AKOR PAUL NATHANIEL Address: NO 12, CALVARY ROAD, OFF ASO ROAD, MARARABA, MARARABA, KARU, NASARAWA STATE,	200,000	

Dated this	7	Day of	July		20	20	
Corporate Affairs Commission		Certified Extract					
							
A. G. ABUBAKAR		Registrar General					
Jun 29, 2021							
Verify Electronic Stamp here:	<a href="http://stampduty.gov.ng/verification">http://stampduty.gov.ng/verification</a>		Stamp Duty Cert. No:	2020-2159-89077-00724			



14

Particulars of witness to the above signatures:			
1. Name of Witness:	AHIABA PRAISE		
Address of Witness:			
Occupation of Witness:			
 <b>Corporate Affairs Commission</b> Certified Extract  <b>A. G. ABUBAKAR</b> Registrar General Jun 29, 2021			
Verify Electronic Stamp here:	<a href="http://stampduty.com.ng/verify-stamp">http://stampduty.com.ng/verify-stamp</a>	Stamp Duty Cert. No:	2620-2159-80077-80724

Print

**FEDERAL HIGH COURT  
 PORT HARCOURT DIVISION  
 CASHIER'S OFFICE**  
 DATE: 12/11/2021  
 SIGN:   
 IKECHUKWU CECILIA NGOZI

**CERTIFIED TRUE COPY**  
**FEDERAL HIGH COURT  
 PORT HARCOURT DIVISION**  
  
 BAADOM J.  
**REGISTRAR**

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(FEDERAL REPUBLIC OF NIGERIA  
COMPANIES AND ALLIED MATTERS ACT 2019  
PRIVATE COMPANY LIMITED BY SHARES

**SPECIAL RESOLUTION**

**Pursuant to Section 620 of the Companies and Allied Matters Act, 2020**

At the Extra-Ordinary General Meeting of Benignant Forte Ltd (the "Company") held at **SUITE C10-C12 DATUNCHI PLAZA MICHAEL AKHIGBE STREET, ABUJA, Federal Capital Territory, NIGERIA**, the following resolutions were proposed and passed:

That the Company be wound up voluntarily pursuant to Section 620 of the Companies and Allied Matters Act, Cap C20 LFN 2019.

That Mr. Emeka Dite Abiola Ojoko (FDIR, ABR, ACIARB) of Ojoko & Ojoko, a law firm having its office situated at 15 Mbonu Street, D/Line, Port Harcourt be and is hereby appointed as the Liquidator of the Company for the purpose of such winding up and that the remuneration of the Liquidator shall be set at such level to be determined by the Board.

That all creditors of the company are hereby requested to forward their claims to the Liquidator at the address above written within 30 days of the publication of this resolution. Similarly, all debtors of the Company are advised to pay up the amount owed to Benignant Forte Ltd within the same period.

That the Corporate Affairs Commission be and is hereby notified of the winding up of the Company.

Dated this 5th day of November 2021



\_\_\_\_\_  
Phillip Paul Akor  
Director



\_\_\_\_\_  
Nathaniel Paul Akor  
Director



17  
Exh 4

FEDERAL REPUBLIC OF NIGERIA  
COMPANIES AND ALLIED MATTERS ACT 2019  
PRIVATE COMPANY LIMITED BY SHARES

**STATUTORY DECLARATION OF SOLVENCY**  
Pursuant to Section 625 of the Companies and Allied Matters Act, 2020

At A Meeting of the Directors of Benignant Forte Ltd (the "Company") held at SUITE C10-C12 DATUNCHI PLAZA MICHAEL AKHIGBE STREET, ABUJA, Federal Capital Territory, NIGERIA, the Directors of the Company declare that:

1. That they have made a full inquiry into the affairs of the company.
2. They have formed the opinion that the Company would be able to pay off its debts in full within a period not exceeding 12 months from the commencement of winding up proceedings
3. The Companies Assets and Liabilities are:

Assets:

- |                               |                 |
|-------------------------------|-----------------|
| i. Plant & machinery -----    | N 21, 780, 000  |
| ii. Operational vehicle ----- | N 61, 000, 000  |
| iii. Heavy duty trucks -----  | N 90, 000, 000  |
| iv. Office equipment -----    | N 9, 745, 000   |
| v. Furniture -----            | N 2, 275, 000   |
| vi. Real estate -----         | N 592, 500, 000 |

Total N777, 300, 000

Estimated LIABILITIES TO INVESTORS N 1, 000, 000, 000

Dated this 4th day of November 2021



Phillip Paul Akor  
Director



Nathaniel Paul Akor  
Director



*12/11/2021*  
*10:55 am*

*CT 4*

**IN THE FEDERAL HIGH COURT OF NIGERIA  
IN THE PORT HARCOURT JUDICIAL DIVISION  
HOLDEN AT PORT HARCOURT**

**SUIT NO. FHC/PH/CP/11/2021**

**IN THE MATTER OF THE COMPANIES AND ALLIED MATTERS ACT, 2020**

**AND**

**IN THE MATTER OF AN APPLICATION BROUGHT UNDER SECTIONS 620(B) AND 649 OF  
THE COMPANIES AND ALLIED MATTERS ACT, 2020**

**AND**

**IN THE MATTER OF THE WINDING UP BY THE COURT  
OF BENIGNANT FORTE NIGERIA LIMITED**

**BETWEEN:**

- 1. **MR. PHILLIP PAUL AKOR**
- 2. **MR. NATHANIEL PAUL AKOR**



**PETITIONERS**

**AND**

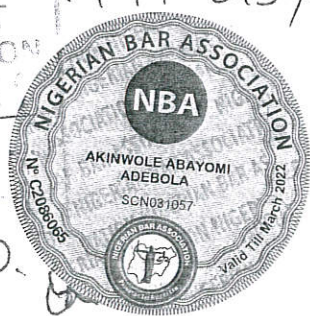
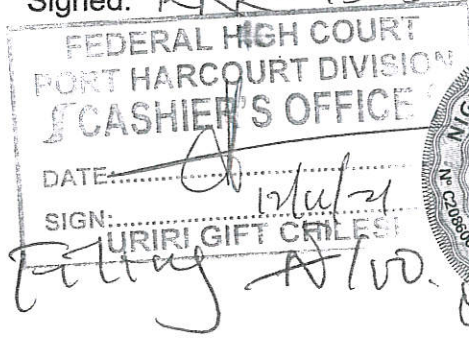
**BENIGNANT FORTE NIGERIA LIMITED**

**RESPONDENT**

**NOTICE IS HEREBY GIVEN** that a petition for the winding-up of the above-named company by the Federal High Court holden at Port Harcourt, was on the 9<sup>th</sup> day of November 2021, presented to the Court by MR. PHILLIP PAUL AKOR and MR. NATHANIEL PAUL AKOR both of 12 Cavalry Road, Maraba, Karu, Nasarawa State

And that the said petition is directed to be advertised and set down for Hearing before the Court sitting at Port Harcourt, on the **19<sup>th</sup> day of November, 2021**, and any creditor or contributory of the said company desirous to support or oppose the making of an order may appear at the time of hearing in person or by his counsel for that purpose; and a copy of the petition will be furnished by the undersigned to any creditor or contributory of the said company requiring such copy on payment of the regulated charge for the same.

Signed: *RRR-1505-7479-0154*



*[Handwritten signature]*

✓ **Abayomi Akinwole, Esq (FICMC, MCIARB)**  
**Obinna Amanze Nwoagu Esq.**  
 for: **I.L.S. Attorneys**  
**Petitioners' Solicitors**  
 3, Azikiwe Road  
 Port Harcourt  
 Rivers State, Nigeria  
 Tel.: 08032012820  
 Email: [abayomi.akinwole@nigerianbar.ng](mailto:abayomi.akinwole@nigerianbar.ng)

**Note:** Any person who intends to appear on the hearing of the petition must serve on or send by post to the above-named, notice in writing of his intention to do so. The notice must state the name and address of the person of, if a firm, the name and address of the firm, and must be signed by the person or firm, of his or their solicitor (if any), and must be served, or if posted, must be sent by post in sufficient time to reach the above-named not later than forty-eight working hours before the date the petition is for mention.

