

IN THE HIGH COURT OF JUSTICE

00338492
CLAIM No. CR-2022-LDS-001041



CR-2022-LDS-001041

BUSINESS AND PROPERTY COURTS IN LEEDS

INSOLVENCY AND COMPANIES LIST (ChD)

DISTRICT JUDGE PEMA ON 24 APRIL 2023

I N T H E M A T T E R of KIRBY MACLEAN LIMITED

-and-

I N T H E M A T T E R of THE COMPANIES ACT 2006

UPON THE APPLICATION by a Claim Form dated the 21st December 2022 of Kenneth Charles Richardson the Claimant and a creditor of the above named Kirby Maclean Limited (hereinafter called "the Company")

AND UPON READING the evidence

AND IT APPEARING that there is no opposition on behalf of His Majesty to the relief sought by this Claim as appears from the Evidence of Service of Sarah Wolf and the exhibit thereto

AND on leave being given to amend the Claim Form to show the correct name of the Company as Kirby Maclean Limited and re service being dispensed with

AND the Claimant by his solicitors undertaking to:

- (A) inform the Registrar of Companies of the title and Court reference number of the proposed litigation referred to in paragraph 6 of the Witness Statement of Sarah Wolf dated the 21st December 2022 immediately after issue.

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- (B) inform the Registrar of Companies immediately on the conclusion of the said proposed litigation or any appeal therefrom or the conclusion of the claim against the company by any other means.

AND UPON the solicitors for the Claimant and the Registrar of Companies (the Defendant) both consenting to this Order

IT IS ORDERED that:

- (1) the name of the above named Kirby Maclean Limited be restored to the Register of Companies
- (2) the Company do continue in Members' Voluntary Liquidation
- (3) the Claimant do serve a copy of the Order on the Company's former liquidator within 21 days of the date hereof
- (4) if at the date of registration of this Order with the Registrar of Companies the name of the Company is not available the Registrar of Companies shall pursuant to Section 1033(2)(a)(ii) and (b) of the Companies Act 2006 change the name of the Company to 00338492 Limited
- (5) an Office Copy of this Order be delivered to the Registrar of Companies and pursuant to the above mentioned Act the company is thereupon to be deemed to have continued in existence as if its name had not been struck off
- (6) the Registrar of Companies do advertise notice of this Order in her official name in the "London Gazette"

