

**IN THE HIGH COURT OF JUSTICE  
BUSINESS AND PROPERTY COURTS IN LEEDS  
INSOLVENCY AND COMPANIES LIST (ChD)**

**DISTRICT JUDGE GOLDBERG**

**9 NOVEMBER 2021**

**IN THE MATTER of METFLEX PRECISION MOULDINGS LIMITED**

**-and-**

**IN THE MATTER of THE COMPANIES ACT 2006**



**CR-2021-LDS-000346**

**UPON HEARING** Georgia Purnell, Counsel for the Claimant and there being no attendance from the Defendant, and;

UPON THE APPLICATION by a Claim Form dated the 6 August 2021 of Philip Rogerson the First co-Claimant and a proposed member and director of the above named Metflex Precision Mouldings Limited (hereinafter called 'the Company') of John Stanley Holland the Second co-Claimant and a proposed member and director of the Company and of Freudenberg Sealing Technologies Limited the Third co-Claimant and a member of the Company

AND UPON READING the evidence

AND IT APPEARING that there is no opposition on behalf of Her Majesty to the relief sought by this Claim as appears from the evidence of service of  
and the exhibit thereto

AND on leave being given to amend the Claim Form by joining Freudenberg Sealing Technologies Limited as a co-Claimant and re service being dispensed with

AND the Third co-Claimant Freudenberg Sealing Technologies Limited undertaking that:

(A)whilst they remain the member thereof the Company will not carry on business or operate in any way other than to:



- (i) permit the continuation of the application signed by Phil Rogerson, the First co-Claimant and proposed member and director of the Company, on behalf of the Company and submitted to Her Majesty's Revenue & Customs on 27 September 2021 under The Disguised Remuneration Repayment Scheme of 2020 for a refund of charges previously levied under The Finance (No. 2) Act 2017 referred to in paragraphs 16 to 18 of the Witness Statement of Philip Rogerson dated the 6 August 2021 (the Witness Statement)
- (ii) take the necessary steps to facilitate the transfer of the shares it holds in the Company to Philip Rogerson and John Stanley Holland the First and Second co-Claimants referred to in paragraph 18 of the Witness Statement

(B) they will immediately on the conclusion of the transfer of the shares to the First and Second co-Claimants file with the Registrar of Companies notification in the prescribed form resigning Peter Ronald Charles Johnson, Michael Raymond Lawson and Tim Smith as directors of the Company in an acceptable form

AND the First and Second co-Claimants undertaking that:

- (C) following the transfer of shares in the Company to them the Company will not carry business or operate in any way other than to take the necessary steps to:
  - (i) satisfy the further requirements of Her Majesty's Revenue & Customs in respect of the application to Her Majesty's Revenue & Customs submitted on 27 September 2021 under The Disguised Remuneration Repayment Scheme of 2020 for a refund of charges previously levied under The Finance (No. 2) Act 2017 referred to in paragraphs 16 to 18 of the Witness Statement
  - (ii) receive the proceeds of any refund received from Her Majesty's Revenue & Customs on foot of the application referred to undertaking (C) (i)

(D) they will inform the Registrar of Companies immediately on the conclusion of the application for a refund of charges referred to in undertaking (C) (i) above

(E) if the application for a refund of charges results in a refund being paid, they will :

- (i) take no action regarding the realisation or disposal of the assets of the Company until a liquidator has been appointed
- (ii) immediately upon the receipt of the refund take all steps necessary for procuring that the Company be placed in voluntary liquidation

(F) if the application to Her Majesty's Revenue & Customs for a refund of charges does not result in a refund, the directors of the Company will immediately on the expiry of 3 months from being notified of this apply to the Registrar of Companies for the voluntary strike off of the Company under Section 1003 of the Companies Act 2006 and comply with all the relevant requirements for such an application

AND UPON the solicitors for the First and Second co-Claimants, the Third co-Claimant and the Registrar of Companies (the Defendant) consenting to this Order

IT IS ORDERED THAT:

- (1) the name of the above named Metflex Precision Mouldings Limited be restored to the Register of Companies
- (2) 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 04744755 Limited
- (3) an Office Copy of the 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

(4) the Registrar of Companies do advertise notice of this Order in her official name in the "London Gazette"

(5) the First and Second co-Claimants do jointly and severally pay to the Registrar of Companies her costs of the said Application in the agreed sum of £400-00

DATED: 9 NOVEMBER 2021