

CASE NUMBER 2683/2018

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

WEDNESDAY



QIQ *Q7FB5F40* #17
26/09/2018
COMPANIES HOUSE

**IN THE MATTER OF PRIUS CORPORATION LIMITED (IN ADMINISTRATION)
AND IN THE MATTER OF THE INSOLVENCY ACT 1986**

**BEFORE HIS HONOUR JUDGE HODGE QC SITTING AS A JUDGE OF THE HIGH
COURT
ON 7 SEPTEMBER 2018**

BETWEEN

**PETER JOHN HAROLD
(as purported administrator of
Prius Corporation Limited)**



Applicant

-and-

- (1) BRIAN TAYLOR**
- (2) PRIUS CORPORATION LIMITED**

Respondents

ORDER

UPON the application of **PETER JOHN HAROLD**, the purported administrator of Prius Corporation Limited (In Administration) dated 29 August 2018 (**Company**)

AND UPON reading the evidence and those documents recorded on the court file as having been read

AND UPON hearing Ian Tucker of Counsel for the Applicants and Mr Taylor in person and there being no attendance by or on behalf of the Company

AND UPON Mr Taylor acknowledging that he had resigned as a director of the Company before the Notice of Appointment of Mr Harold was filed at Court at 2:30pm on 23 July 2018

AND UPON the Court not considering whether the time costs incurred as a result of the invalid appointment are recoverable under paragraph 34(2) of Schedule B1 to the Insolvency Act 1986 or otherwise and the Applicant being at liberty to bring such application as he considered appropriate to have this issue determined

IT IS ORDERED THAT:

1. The administration of Prius Corporation Limited and the purported appointment of Peter John Harold as its administrator are hereby declared invalid.
2. The Applicant to serve the Registrar of Companies with a copy of this Order within 14 days.
3. Pursuant to paragraph 34(2) of Schedule B1 the First Respondent do indemnify the Applicant against any and all liabilities which arise solely by reason of the appointment's invalidity.
4. Pursuant to Paragraph 3 above, paragraph 34(2) of Schedule B1, the First Respondent do pay to the Applicant the following, as examples of liabilities which have arisen solely by reason of his appointment's invalidity:
 - a. Expenses incurred to date in the sum of £306.68; and
 - b. any further sum certified by the Applicant as having been paid to his insurer, to a limit of £4,417, within 14 days of such certification being served upon the First Respondent.
5. The Applicant's costs of this application be paid by the First Respondent on an indemnity basis summarily assessed in the sum of £3,595, this sum not including any element of VAT to be paid no later than 4pm on 7 November 2018.