

In accordance with
Rule 6.28 of the
Insolvency (England &
Wales) Rules 2016 and
Section 106(3) of the
Insolvency Act 1986.

LIQ14

Notice of final account prior to dissolution in CVL



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1	Company details	
Company number	0 5 9 5 9 0 0 7	→ Filling in this form Please complete in typescript or in bold black capitals.
Company name in full	Rachyal & Co Limited	
2	Liquidator's name	
Full forename(s)	Andrew	
Surname	Fender	
3	Liquidator's address	
Building name/number	Sanderling House	
Street	Springbrook Lane	
	Earlswood	
Post town	Solihull	
County/Region		
Postcode	B 9 4 5 S G	
Country		
4	Liquidator's name ^①	
Full forename(s)		① Other liquidator Use this section to tell us about another liquidator.
Surname		
5	Liquidator's address ^②	
Building name/number		② Other liquidator Use this section to tell us about another liquidator.
Street		
Post town		
County/Region		
Postcode		
Country		

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Notice of final account prior to dissolution in CVL

6

Liquidator's release

☐ Tick if one or more creditors objected to liquidator's release.

:

7

Final account

☒ I attach a copy of the final account.

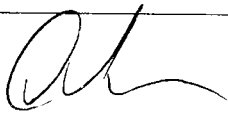
8

Sign and date

Liquidator's signature

Signature

X



X

Signature date

d

1

d

8

m

0

m

3

y

2

y

0

y

2

y

2

LIQ14

Notice of final account prior to dissolution in CVL



Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name	Andrew Fender
Company name	Sanderlings Accountancy Services
Address	Sanderling House
	Springbrook Lane
	Earlswood
Post town	Solihull
County/Region	
Postcode	B 9 4 5 S G
Country	
DX	
Telephone	01564 700 052



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.



Important information

All information on this form will appear on the public record.



Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.



Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

**TO ALL KNOWN MEMBERS AND CREDITORS
REPORT**

14 January 2022

Our ref: af.rachyal.cvl.20

Dear Sirs

RAYCHYAL & CO LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION

I refer to my appointment as Liquidator of the above company on 16 November 2020.

All matters within the Liquidation are concluded and this report represents my final account as Liquidator.

This report should be read in conjunction with my closing Administrators report date 22nd October 2020.

STATUTORY INFORMATION

The company, registered number 05959007, traded from premises at Rachyal House, 494-504 Green Lane, Birmingham, B9 5QH. The registered office is currently: Sanderling House, Springbrook Lane, Earlswood, Solihull, B94 5SC; and was formerly: Rachyal House, 494-504 Green Lane, Birmingham, B9 5QH.

There have been no changes of office holder since the date of Liquidation.

RECEIPTS & PAYMENTS ACCOUNT AND CASE PROGRESSION

I attach at **Appendix 1**, my receipts and payments account for the period of the Liquidation.

There have been no transactions and the court action and associated costs have been settled by Sanderlings

No statement of affairs was provided by the Directors,

No assets were included in the Administrator's proposal.

Creditors will recall from Administrators reports that investigations and communications with creditors uncovered substantial supplies to the Company in the months preceding Administration that were not paid for and were unaccounted for.

The Administrator has been in contact with suppliers of various goods including tyres, wood panels, ventilation equipment, hydroponic equipment and electricity totalling an aggregate amount of £780,056

Specialists in:

Reconstruction:

Corporate Turnaround

Insolvency:

Administration

Company Voluntary
Arrangements

Receiverships

Creditors Voluntary
Liquidations

Members Voluntary
Liquidations

Compulsory Liquidation

Personal Insolvency &
Bankruptcy

Debt Solutions

Sanderlings LLP is a limited liability partnership registered in England with registered number OC303124

Sanderlings Accountancy Services Limited is registered in England with registered number 09578868

The registered offices of Sanderlings are Sanderlings House, Springbrook Lane, Earlswood, Solihull, B94 5SC

All appointment takers are licensed to act as Insolvency Practitioners in the UK by the Institute of Chartered Accountants in England and Wales.

Insolvency Practitioners act as agents only and without personal liability.

The General DATA Protection Regulation requires that individuals whose data is being held be contacted and provided with information about their rights.

A privacy notice is available at <http://www.sanderlings.co.uk/privacynotice.pdf>

The administrator could not establish the whereabouts of these supplies and no information has been forthcoming from the Directors despite court action detailed below

My initial discussions with the director suggested that all supplies were going to Dubai but that company dealt in end of line and substandard stock the majority of which had to be scrapped. This is clearly not the case and I do not think the Director is the power behind the company.

It was reported previously that the Administrator received little or no cooperation from the directors of the Company, or from the director's business partner, Mr Shah, in respect of requests for information and records, as well as Court action.

The Administrator was left with no alternative but to apply to Court for an Order under Section 236 requiring the directors to appear before the Court for a private examination; to submit an account of their dealings with the Company including providing answers to specific questions; and to deliver up any other books, papers and records not specifically referred to in the application.

The hearing was due to take place on 20 July 2020, however I was notified on 15 July 2020, presumably as a result of the Covid-19 position, of an Order made by the Court on 13 July 2020 that the hearing was to be conducted by a remote hearing.

Given there was insufficient time to complete the necessary forms and serve notice on the directors, the Administrator requested an adjournment. The hearing was relisted to be heard on 18 November 2020.

The initial hearing on the 18 November 2020 was adjourned as the two respondents Mr Jahangir Mehr and Mr Cornel Filipache were not in attendance. Agents had been unable to serve Mr Mehr documentation, as the residents in both of the addresses on file for Mr Mehr, denied all knowledge of Mr Mehr and stated they have lived in the premises for at least three years and Mr Mehr had lived in neither of these premises. The documentation was served on Mr Filipache.

The judge noted Mr Filipache had turned up at court in the morning without any invitation, he was turned away due to covid regulations. The judge noted that Mr Filipache may have required an interpreter to represent him.

The hearing was adjourned to 1st March 2021 and that the order for the adjourned hearing must be served on both the respondent by the applicant, who is to produce certificates of service for the next hearing. The documents were served on Mr Filipache and Mr Filipache was asked if he required an interpreter.

The notice of the hearing was served on Mr Mehr, having had his occupation in the property confirmed with this father, and it was served on Mr Filipache. Neither the respondents attended the hearing on 1st March and the application was adjourned until the 22nd June 2021 with the notice that if the respondents do not comply with the order they will be held in contempt of court, imprisoned or fined and their assets may be seized.

Neither respondent attended the hearing on the 22nd June, and after discussing the position with the district judge, it was agreed that it was little point in adjourning yet again and it would be unlikely that the respondent will attend.

Having regard to the above, there is very little point in continuing with the liquidation and I am progressing to closure.

SALE OF ASSETS TO CONNECTED PARTIES

I have not been able to establish if any assets have been sold to parties connected to the Company.

INVESTIGATION

You may be aware of my duty in accordance with Statement of Insolvency Practice 2 to conduct an investigation proportionate to the circumstances of the case. I can confirm that this has been done and the appropriate action taken where necessary.

CREDITORS' CLAIMS AND DIVIDENDS

There are insufficient funds available to pay a dividend to any class of creditor.

FEES AND EXPENSES IN THE LIQUIDATION

Creditors have authorised the Liquidator to draw remuneration by reference to the time properly given by the Liquidator and his staff in attending to matters arising in the winding up since the appointment. I attach at **Appendix 2** a summary of my costs together with a note of charge out and disbursement rates for the period of the liquidation. A guide to fees is available on request. The total time costs for the liquidation amount to £4,585 representing 17.6 hours at an average rate of £260.51 per hour. Due to a paucity of funds a Liquidators fee decision has not been convened and no liquidator's fees have been drawn.

Since my appointment, time has been expended as follows:

- Compliance matters and cashiering, including but not limited to calculation and payment of the Bordereau liability and monitoring the Bordereau level, preparation and submission of statutory returns, completion of post appointment formalities, completion of the last annual and this report, and periodic case reviews
- Correspondence with creditors and members
- Court action as set out above and the preparation of the necessary applications

No authorisation has been sought from creditors to draw category 2 expenses and no funds have been drawn.

More information is available on the R3 website at: <http://www.creditorinsolvencyguide.co.uk>

The General DATA Protection Regulation requires that individuals whose data is being held be contacted and provided with information about their rights. A privacy notice is available at <http://www.sanderlings.co.uk/privacynotice.pdf>.

This concludes my report, however if you should require any additional information, please contact me.

Yours faithfully
For and on behalf of
Rachyal & Co Limited

A handwritten signature in black ink, appearing to be 'AF' followed by a long horizontal stroke.

Andrew Fender
Liquidator

Rachyal & Co Limited - CVL
Receipts and Payments Account from 16 November 2020 to 14 January 2022

<u>Receipts</u>	£
VAT Refund	-
Interest	-
VAT	-
	<hr/>
	Nil
	<hr/>

<u>Payments</u>	
Bordereau	-
Advertising	-
Insolv	-
Co Search	-
Printing, Postage, Stationery & Telephone	-
Storage	-
Room Hire	-
Liquidators Fees	-
VAT	-
	<hr/>
	Nil
	<hr/>

<u>Closing Balance</u>	<hr/>
	Nil
	<hr/>

Where funds are held, they are held in an Interest Bearing Account

In all Bankruptcy and Compulsory Liquidations, funds are held in the Insolvency Services Account

Sanderlings**TIME & CHARGEOUT SUMMARIES**

Rachyal & Co Ltd - CVL

From 16/11/2020 to 13/01/2022

HOURS							
Classification Of work Function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Total Hours	Time Cost £	Average Hourly Rate £
Administration & Planning	4.50	5.60	0.00	0.00	10.10	3,085.00	305.45
Investigations	0.00	3.10	0.00	3.70	6.80	1,360.00	200.00
Creditors	0.00	0.30	0.00	0.40	0.70	140.00	200.00
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Fees Claimed £	1,965.00	1,800.00	0.00	820.00		4,585.00	
Total Hours	4.50	9.00	0.00	4.10	17.60		
Average Rate	436.67	200.00	0.00	200.00			

NOTICE THAT THE COMPANY'S AFFAIRS ARE FULLY WOUND UP

Company Name: Rachyal & Co Limited (In Liquidation) ("the Company")
Company Number: 05959007

This Notice is given under Rule 6.28 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by the Liquidator of the Company, Andrew Fender, of Sanderlings LLP, Sanderling House, Springbrook Lane, Earlswood, Solihull, B94 5SG (telephone number 01564 700 052), who was appointed by the members and creditors.

The Liquidator gives notice that the Company's affairs are fully wound up.

Creditors have the right:

- (i) to request information from the Liquidator under Rule 18.9 of the Rules;
- (ii) to challenge the Liquidator's remuneration and expenses under Rule 18.34 of the Rules; and
- (iii) to object to the release of the Liquidator by giving notice in writing below before the end of the prescribed period to:

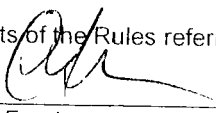
Andrew Fender, Sanderling House, Springbrook Lane, Earlswood, Solihull, B94 5SG

The prescribed period ends at the later of: (i) eight weeks after delivery of this notice, or (ii) if any request for information under Rule 18.9 of the Rules or any application to court under that Rule or Rule 18.34 of the Rules is made, when that request or application is finally determined.

The Liquidator will vacate office under Section 171 of the Insolvency Act 1986 ("the Act") on delivering to the Registrar of Companies the final account and notice saying whether any creditor has objected to release.

The Liquidator will be released under Section 173 of the Act at the same time as vacating office unless any of the Company's creditors objected to release.

Relevant extracts of the Rules referred to above are provided overleaf.

Signed: 
Andrew Fender
Liquidator

Dated: 14 Jan 22

RELEVANT EXTRACTS OF RULES 18.9 AND 18.34 OF THE INSOLVENCY (ENGLAND & WALES) RULES 2016

Rule 18.9

- (1) The following may make a written request to the office-holder for further information about remuneration or expenses set out in a final report under rule 18.14:
- a secured creditor;
 - an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question); or
 - any unsecured creditor with the permission of the court.
- (2) A request or an application to the court for permission by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one creditor.

Rule 18.34

- (1) This rule applies to an application in a winding-up made by a person mentioned in paragraph (2) on the grounds that:
- the remuneration charged by the office-holder is in all the circumstances excessive;
 - the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
 - the expenses incurred by the office-holder are in all the circumstances excessive.
- (2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable:
- a secured creditor; or
 - an unsecured creditor with either
 - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
 - (ii) the permission of the court.
- (3) The application by a creditor must be made no later than eight weeks after receipt by the applicant of the final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question.

NOTICE OF NO DIVIDEND

Company Name: Rachyal & Co Limited ("the Company")
Company Number: 05959007

This Notice is given under Rule 14.36 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by the Liquidator of the Company, Andrew Fender, of Sanderlings LLP, Sanderling House, Springbrook Lane, Earlswood, Solihull, B94 5SG (telephone number 01564 700 052), who was appointed by the members creditors.

The Liquidator gives notice confirming that no dividend will be declared in the Liquidation of the Company.

The funds realised have already been distributed or used or allocated for paying the expenses of the Liquidation.

The Liquidator will now proceed to conclude the Liquidation.

Signed: _____

Andrew Fender
Liquidator

Dated: _____

14 Jan 22