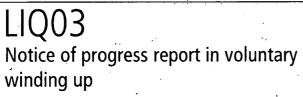
In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.





	A18	*A96GNSBE* 04/06/2020 #268 COMPANIES HOUSE
1	Company details	
Company number	0 7 1 7 9 2 4 5	→ Filling in this form Please complete in typescript or in
Company name in full	Arooj Restaurant & Banqueting Limited	bold black capitals.
2	Liquidator's name	
Full forename(s)	Anthony Benjamin	
Surname	Fisher	<b>\</b>
3	Liquidator's address	
Building name/number	Skull House Lane	
Street	Appley Bridge	
Post town	Wigan	
County/Region		
Postcode	WN69DW	
Country		
4	Liquidator's name <b>o</b>	
Full forename(s)		Other liquidator Use this section to tell us about
Surname		another liquidator.
5	Liquidator's address o	
Building name/number		Other liquidator Use this section to tell us about
Street		another liquidator.
Post town .		
County/Region		
Postcode		
Country		

LIQ03 Notice of progress report in voluntary winding up

6	Period of progress report
From date	d d d d d d d d d d d d d d d d d d d
To date	
7	Progress report
•	☑ The progress report is attached
8	Sign and date
Liquidator's signature	Signature X
Signature date	0 3 0 6 72 0 72 0

## 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	Anthony Benjamin Fisher						
Company name	Debtfocus						
Address	Skull House Lane						
	Appley Bridge						
Post town	Wigan						
County/Region							
Postcode	W N 6 9 D W						
Country							
DX							
Telephone	01257 257030						

## ✓ 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.

## 7 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

Tracey Howarth of Carter Halliwell Insolvency Practitioners was appointed Liquidator on 23 May 2018.

Anthony Fisher, MIPA, FABRP was appointed Liquidator of the above Creditors' Voluntary Liquidation by a High Court Order on 19 November 2018.

### AROOJ RESTAURANT & BANQUETING LIMITED - IN LIQUIDATION

Second Annual Report and account of the Liquidator Pursuant to Section 104A of the Insolvency Act 1986

Period: 23 May 2019 to 22 May 2020,

#### Contents

- Company and Liquidator's details
- · Receipts and payments account
- Creditor claims
- Other relevant information
- Conclusion
- Appendices
  - Liquidator's account of Receipts and Payments for the period from 23 May 2019 to 22
     May 2020 with Statement of Affairs comparative.
  - 2. Creditor Claims Summary Report.
  - 3. Liquidator's time costs and expenses.

#### 1. COMPANY AND LIQUIDATOR'S DETAILS

Company Name AROOJ RESTAURANT & BANQUETING LIMITED

Date of Incorporation 5 March 2010

Company Number 07179245

Date of Liquidation 23 May 2018

Former Registered Office 286 Attercliffe Road

Sheffield S4 7WZ

The Genesis Centre Garrett Field Birchwood Warrington WA3 78H

Current Registered Office c/o Focus Insolvency Group

Skull House Lane Appley Bridge Wigan WN6 9DW

Trading address 286 Attercliffe Road

Sheffield S4 7WZ

Nature of Business Restaurant & Banqueting Suite

Office Holder Appointed on 19 November 2018;

Anthony Fisher, MIPA, FABRP Focus Insolvency Group Skull House Lane

Appley Bridge Wigan WN6 9EU

Former Office Holder Tracey Howarth

Carter Halliwell Genesis Centre Warrington WA3 7BH

Date of Appointment 23 May 2018

This report is issued under the provisions of Section 104A of the Insolvency Act 1986.

#### 2. RECEIPTS AND PAYMENTS ACCOUNT

Attached at Appendix 1 is my account of receipts and payments from the commencement of the winding-up to the end of the second anniversary.

The Liquidator is required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit in enhancing realisations for the insolvent estate, they assist in the efficient and compliant progressing of the administration of the case, which ensures that work is carried out to high professional standards. A detailed list of these tasks may be found within this report.

My comments on items appearing in the account are as follows: -

#### **ASSET REALISATIONS**

As per the director's Statement of Affairs of the Company the Company held the following assets:

#### Plant & Machinery, Fixtures and Fittings & Motor Vehicle

As previously reported, the Company's assets were independently valued by independent agents, JPS Chartered Surveyors ("JPS"), on 17 May 2018, prior to the Liquidation.

JPS confirmed that the assets held an estimated value of £1,200 at auction.

JPS further advised that the likely costs of uplift, marketing and sale would outweigh any achievable realisations and therefore these assets were abandoned.

No realisations will be achieved from this source.

#### Stock

As previously advised, as per the Director's Statement of Affairs the Company's stock held no value, as the stock consisted of perishable food items.

No value was held in the stock and I can confirm that no realisations were achieved from this source.

#### **Deposit for Costs**

As previously advised, the former Liquidator received £6,000 from the Director personally to cover the agreed Statement of Affairs fee in the sum of £5,000 plus VAT.

No further realisations will be made from this source.

#### **Refund from Merchant Service Provider**

As previously reported, in October 2018 a credit balance of £348.01 was received from First Data Europe, the Company's former PDQ terminal provider.

No further realisations will be made from this source.

#### **Investigations/Antecedent Transactions**

As previously advised, following review of the Company's bank statements cash withdrawals totalling £52,220 were identified within the last six months of trading.

The Director has failed to deliver up the Company's books and records and as such I have been unable to identify what these payments were in relation to.

I wrote to the director on a number of occasions regarding this matter, however no response was forthcoming. As such in July 2019 I instructed Freeths LLP ("Freeths") to pursue this matter on my behalf. Freeths wrote to the director but still no substantive response was received. As such in October 2019 an application was made to Court under sections 235 and 236 of the Insolvency Act 1986 to examine the director under oath in relation to the cash withdrawals and that either the Company's books and records be delivered up or a witness statement be provided to explain the reasons for his inability to deliver up the Company's records.

A hearing date was set for 15 January 2020 however the director failed to attend the hearing and the hearing was adjourned to 20 April 2020.

In February 2020 a bundle of documents was received from the director which provided explanation for £14,498.50 of the cash withdrawals, leaving a balance of £37,721.50 still to be explained. Freeths again wrote to the director and we are awaiting further information from him.

Due to the lockdown in respect of Covid-19 the Courts were closed and as such the public examination of the director has been adjourned to 17 August 2020.

This matter remains ongoing and a further update will be provided to creditors with my next report.

#### Other

My investigations into the affairs and conduct of the Company and its directors have not uncovered any previously undisclosed assets other than those noted above.

In accordance with SIP 13 I would advise that there have been no related party transactions.

I have earned bank interest of £1.24 for the period 23 May 2018 to 22 May 2020.

#### **Outstanding Matters**

As detailed above my enquiries into the affairs of the Company are ongoing.

#### **EXPENSES/CATEGORY 1 DISBURSEMENTS**

An estimate of anticipated expenses and disbursements was provided by the Liquidator prior to their appointment. The table below provides details of the Category 1 disbursements paid to date against the estimate provided:

Description	Professional Advisor	Paid to Date £	Estimated £
Agents and Valuers	JPS	<del>-</del> .	500.00
Statutory Advertising (net)	Courts Advertising	213.00	254.00
Specific Bond	Kingsbridge / Willis	30.00	12.00
IPS Case Management Fee	IPS		120.00
Postage Services (net)	Pemberton Business Services	21.82	-
Total		264.82	886.00

The payment to Pemberton Business Services detailed above is in respect of payment for their services and postage for circulation of all relevant notices and documentation to creditors and shareholders.

The Specific Bond was estimated to cost £12 by the former Liquidator, however following my appointment a new bond was required which has increased the costs associated with this expense.

All other payments have been made in accordance with the rules and regulations generally as to the payment of costs and expenses in the Liquidation and are detailed within Appendix 1.

#### **FUTURE ANTICIPATED EXPENSES/CATEGORY 1 DISBURSEMENTS**

The Liquidator anticipates the following expenses/Category 1 disbursements will be incurred prior to finalising the administration of this matter, subject to sufficient funds being available:

<u>Description</u>	£
Legal Fees - Freeths (est)	5,000.00
Legal Disbursements – Freeths (est)	500.00
Limes Financial Services (net)	150.00
Limes Financial Services (est)	180.00
B & J Storage Solutions (est)	192:00
Total	6,022.00

My Solicitors, Freeths, have unbilled time costs of £3,247.27 + VAT and disbursements of £360.00 in relation to the investigations into transactions on the Company bank account.

Payment of £180 + VAT to Limes Financial Services in relation to software costs together with a £5 + VAT monthly maintenance cost estimated over 36 months. This relates to the initial set up and ongoing maintenance costs of the software operated by the Liquidator to hold and record information on the Insolvency Estate.

An estimated £192 will be paid to B & 1 Storage Solutions in relation to the storage of the Liquidator's case files for a period of 6 years following completion of the Liquidation as required by law.

Details of the Liquidator's Remuneration are detailed in Section 4 below.

#### 3. CREDITOR CLAIMS

Irrespective of whether sufficient realisations are achieved to pay a dividend to creditors, the Liquidator has had to carry out key tasks. The following sections explain the anticipated outcomes to creditors and any distributions paid.

#### **Secured Creditor Claims**

There were no charges registered against the Company at Companies House and there will be no prescribed part in this Liquidation.

#### **Preferential Creditor Claims**

I have not received and do not anticipate any preferential claims against the Company.

#### **Unsecured Creditor Claims**

Attached at Appendix 2 is a schedule of agreed claims to date.

#### **Distributions**

No dividend has been available to any class of creditor in this matter to date. Dividend prospects are dependent on future realisations from the ongoing investigations.

#### 4. OTHER RELEVANT INFORMATION

#### **Enquiries and Investigations**

You may be aware that a Liquidator has a duty to investigate generally the affairs of an insolvent company to determine its property and liabilities and to identify any actions which could lead to the recovery of funds. In addition, a Liquidator is also required to consider the conduct of the Company's Directors and to make an appropriate submission to the Directors Disqualification Unit of the Department for Business, Innovation & Skills as required.

During the Review Period, the Liquidator carried out an initial review of the Company's affairs in the period prior to appointment. This included seeking information and explanations from the directors by means of questionnaires, making enquiries of the Company's accountants; reviewing information received from creditors; and collecting and examining the Company's bank statements, accounts and other records.

I can confirm that I have discharged my duties in this regard. However, if any creditor wishes to raise any concerns which they have not already, then please do so in writing.

This work was carried out with the objective of making an initial assessment of whether there were any matters that may lead to any recoveries for the benefit of creditors. This would typically include any potential claims which may be brought against parties either connected to or who have past dealings with the Company.

Although this work has not yet generated any financial benefit to creditors, it was necessary to meet the statutory duties as well as conduct appropriate enquiries and investigations into potential rights of actions to enhance realisations.

#### Liquidator's remuneration

It is the firm's practice to ensure that work is conducted by the appropriate staff member at the appropriate level of experience. Junior members of staff deal with the day to day administration on cases and a manager and Insolvency Practitioner then oversees the work undertaken. Where the issues are complex and litigious, the work will be closely supervised or undertaken by a senior manager or Insolvency Practitioner.

At the meeting of creditors held on 23 May 2018 the Statement of Affairs fee was agreed at £5,000 plus VAT, which has been paid in full to the former Liquidator. Creditors will recall that at the meeting of creditors a resolution was passed authorising the Liquidator to be remunerated on a time cost basis subject to a cap of £7,200 plus VAT and disbursements plus VAT.

Total time spent to date on this assignment amounts to 34.9 hours at an average charge out rate of £231.35 per hour resulting in total time costs to date of £8,074.00 plus VAT.

The former Liquidators has drawn fees of £381.30 and I have drawn fees of £850. Total Liquidator fees drawn to date are £1,231.30.

An estimate of the time costs was provided by the former Liquidator prior to appointment, the table below provides a comparison of time charged to date against the original estimate:

Classification of Work Function	Total Hours (Estimate)	Time Cost, £ , (Estimate)	Total Hours (To date)	Time Cost, £ (To Date)	Average Hourly Rate, £
Statutory & Compliance	-	-	11.5	2,720.00	236.52
Administration & Planning	12	2,700	3.4	835.00	245.59
Realisation of Assets	6	1,350	16.5	4,114.50	249.36
Creditors	. 4	900	0.4	44.00	110.00
Investigations	7	1,575	2.8	308.00	110.00
Cashiering	3	675	0.3	52.50	175.00
Total	32	7,200	34.9	8,074.00	231.35

The current time has exceeded the estimate originally provided, this is due to the additional investigation that has been required into the affairs of the Company and the cash withdrawals prior to Liquidation, as well as the need to instruct solicitors and pursue legal action against the director due to his non-cooperation with the Liquidator.

The following further information as regards time costs and expenses is set out at Appendix 3:

- Focus Insolvency Group policy for re-charging expenses and charge out rates.
- Narrative summary of time costs incurred and summary by staff grade and work activity.
- A creditors guide to Liquidator's fees.

As creditors will appreciate the work involved in administering the liquidation has been complex and substantial. A great deal of time has been incurred with dealing with the following matters: -

Statutory Compliance and Reporting – Time has been incurred in performing my statutory duties as Liquidator including such matters as filing appointment documents and returns. I am also required to complete quarterly file reviews. Further time will be incurred in preparing my final report to shareholders and creditors. This work was performed purely to comply with my statutory requirements and did not add any value to the liquidation estate.

Administration and Planning - Complying with the statutory and regulatory duties as regards filing, maintaining records, monitoring the case progression and conducting periodic case reviews. This work was performed purely to comply with my statutory requirements and did not add any value to the liquidation estate.

**Realisation of Assets** - Time has been incurred in liaising with the Director and reviewing the books and records in order to reconcile the cash withdrawals from the bank account prior to Liquidation and recover any monies due. This work has been performed solely to add value to the liquidation estate.

**Creditor Correspondence** —Time has been incurred in liaising with the Company's creditors, answering creditor concerns, queries and acknowledging creditor claim forms.

Investigation – I have to investigate the assets and affairs of the Company as part of my duties as Liquidator. Time has been incurred in reviewing the Company's books and records, tracking asset movements, and reporting my findings to the disqualification unit of the Department for Business Innovation & Skills.

A great deal of time has been incurred in reviewing the Company's books and records and liaising with the Director and my solicitors in respect of the cash withdrawals from the Company's bank account. This work has been performed solely to add value to the liquidation estate.

As previously detailed, there were a number of transactions within the bank statements which needed further investigation to establish if any recoveries could be made for creditors and I liaised with the Directors and Solicitors in this regard. This matter has been time consuming for my office and is still ongoing.

Cashiering – Time has been incurred in performing cashiering functions in relation to the administration of the Liquidation estate. This work was performed purely to comply with my statutory requirements and did not add any value to the liquidation estate.

#### Creditors' rights

Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about their remuneration or expenses which have been itemised in this progress report.

Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that the basis fixed for the Liquidator's remuneration, the remuneration charged or the expenses incurred by the Liquidator as set out in this progress report are excessive.

#### E C Regulations (whether proceedings are main proceedings or territorial)

The Company's centre of main interest was 286 Attercliffe Road, Sheffield, S4 7WZ and therefore it is considered that the EC Regulations will apply. These proceedings are main proceedings as defined in Article 3 of the EC Regulation.

#### 5. CONCLUSION

The administration of the case will be continuing to finalise the following outstanding matters that are preventing this case from being closed:

• Conclusion of investigations into Company's affairs

Information about this insolvency process may be found on the R3 website at;

http://www.creditorinsolvencyguide.co.uk/

If you require any further information, please contact this office.

V.

Anthony Fisher, MIPA, FABRP Liquidator

Dated: 3 June 2020

## AROOJ RESTAURANT & BANQUETING LIMITED - IN LIQUIDATION

LIQUIDATOR'S ACCOUNT OF RECEIPTS AND PAYMENTS FOR THE PERIOD FROM 23 MAY 2019 TO 22 MAY 2020 WITH STATEMENT OF AFFAIRS COMPARITIVE.

# Arooj Restaurant & Banqueting Limited (In Liquidation)

## Liquidator's Summary of Receipts and Payments

RECEIPTS	Statement of Affairs (£)	From 23/05/2018 To 22/05/2019 (£)	From 23/05/2019 To 22/05/2020 (£)	Total (£)
Plant and Mac∩in∈ry	NIL	0.00		0.00
Fixtures and Fittings	NIL.	0.00	0.00	0.00
Motor Vehicles	NIL NIL	0.00	0.00	0.00
Stock	NIL	0.00	0.00	0.00
Refund from Merchant Service Provider	Uncertain	348_01	0.00	345.01
Deposit for Costs	, Onocialii	6,000.00	0.00	6,000.00
Bank Interest Gross		1.12	0.12	1.24
		6,349.13	0.12	6,349.25
PAYMENTS		<del> </del>	····	<del></del> ,
FATRIEW 13				
Specific Bond	•	30.00	0.00	30.00
S.of A. Fee		4.650.00	0.00	4.650.00
Liquidator's Fees		381,30	0.00	351.30
Liquidator's Fee		0.00	850.00	\$50.00
Stationery & Postage		0.00	21.82	21.82
Statutory Advertising		213.00	0.00	213.00
Trade & Expense Creditors (Estimated)	(79,549.39)	0.00	0.00	0.00
. H M Revenue & Customs (Estimated)	(100,000.00)	0.00	0.00	0.00
Ordinary Shares	(100.00)	0.00	0.00	0.00
• •		5,274.30	871.82	6,146.12
Net Receipts/(Payments)		1,074.83	(871.70)	203.13
				· ,
MADE UP AS FOLLOWS		,		•
Bank 1 Current		1.074.83	(1,919.88)	54.25
Office		0.00	(26.18)	(26.15)
VAT Receivable / (Payable)		0.00	174.36	174.38
		1,074.83	(871.70)	203.13
				<u> </u>

Anthony Benjamin Fisher Liquidator

## AROOJ RESTAURANT & BANQUETING LIMITED - IN LIQUIDATION

CREDITOR CLAIMS SUMMARY REPORT

## Debtfocus Arooj Restaurant & Banqueting Limited Creditor Claims Summary Report

Key	Name	F	ep: By	S of A £	Claim £	Agreed Claim £
CA00	ADG Accountants			1,000.00	750.00	0.00
	Allah Ditta					•
CB00	BT plc DIV/BTB44058		٠.	695.65	739.78	0.00
CF00	First Data Europe Limited 520334508866845		,	0.00	0.00	0.00
CG00	Gazprom Energy - 4655427			4,898.05	0.00	0.00
CH00	HMRC			100,000.00	0.00	0.00
CL00	996091179 (VAT) LCS IDS0003186879			0.00	0.00	0.00
CN00	Opus Energy Limited 79286249150 & 7922433	2390		25,736.17	0.00	0.00
CR00	Registrar of Companies 07179245			2,325.97	0.00	0.00
CR01	Rossendales Limited			0.00	0.00	0.00
CS00	Sheffield City Council		•	39,394.15	38,320.75	0.00
CV00	Viridor Waste Manageme	nt		2,360.18	0.00	0.00
CV01	Veolia Environmental Solu			596.16	0.00	0.00
CY00	Yorkshire Water			2,543.06	0.00	0.00
13 Entri	es Totalling			179,549.39	39,810.53	0.00

## AROOJ RESTAURANT & BANQUETING LIMITED - IN LIQUIDATION

## LIQUIDATOR'S TIME COSTS AND EXPENSES

- a. Focus Insolvency Group policy for re-charging expenses and charge out rates;
- b. Summary of time costs incurred and summary by staff grade and work activity

## Time Entry - SIP9 Time & Cost Summary

X18134 - Arooj Restaurant & Banqueting Limited All Post Appointment Project Codes From: 23/05/2019 To: 22/05/2020

Classification of Work Function	-1	Partner		Ma	negar	•	Other Senior Professionals	. Assistante & Support Staff		а ноша	Time Cost (2)	Average Hourly Rate (2)
						•			,			
Administration & Planning		0.00	-		3.20	1	· 0.00	0.20		3,40	835.00	245.59
Case Specific Matters		0.00	•		0.00		0.00	0.00		0.00	. , 0.00	0.00
Cashler/ Sanidag		0.00			9.00	·	0.00	0.30		_ 0.30	52.50	175.00
Creators		0.00		(	0.00		0.00	0.40		0.40	. 44.00	110.00
Employees		0.00			0.00		0.00	0.00		0.00	0.00	0.00
Finalisation	•	0.00			0.00		0.00	0.00		0.00	0.00	0.00
nveet/gations		0.00			0.00		0.00	2.80		2.80	303.00	110.00
egal		0.50			5.30		0.00	0.50		6.30	1,602.50	254.37
Pensions		0.00		• •	0.00		0.00	0.00		0.00	0.00	0.00
Realisation of Assets		3.40			0.40		6.00	6.40		10.20	2.512.00	245.27
Redells		1.30		9	1.80		0.00	3.80		6.90	1,440.00	203.70
Stancory		1.00			3.60		0.00	0.00		4.60	1,280.00	278.26
Tracing		0.00			0.00		0.00	0.00		. 0.00	0,00	0.00
Total Hours		6.29			14.30		0.00	14.40		34.50	8,074.00	231.35
Total Fees Chalmed											850.00	
Total Disbursements Cistmed							*.*		•	,	0.00	

#### **Focus Insolvency Group**

#### Fee Charging, Expenses and Disbursement Policy Statement - Liquidations

#### **Fee Charging Policy**

In accordance with the provisions of the Statement of Insolvency Practice 9 ("SIP9"), the firm's current charge out rates applicable to this appointment, exclusive of VAT, are as follows: -

Grade of Staff	UP TO 31.12.2013 (£ per hour)	FROM 01.01.2014 – 31.07.2016 (£ per hour)	FROM 01.08.2016 (£ per hour)
Senior Partner	N/A	N/A	380
Partner	280	320	350
Manager	180	220	250
Administrator / Cashier	120	160	175
Support	N/A	N/A	110

Time is recorded in units of 0.10 of an hour (i.e. 6 minute units). Time billed is subject to Value Added Tax at the applicable rate.

Time spent by partners and insolvency staff in relation to the insolvency estate is charged to the estate.

#### **Expenses and Disbursement Policy**

#### **Direct Expenses (Category 1 Disbursements)**

Category 1 disbursements as defined by SIP 9, which can be specifically identified as relating to the administration of the case, will be charged to the estate at cost, with no uplift. These include, but are not limited, to such items as advertising, bonding and other insurance premiums and properly reimbursed expenses.

#### Indirect Expenses (Category 2 Disbursements)

Category 2 disbursements cannot, or cannot easily be directly identified as relating to the administration of the case, usually because there is an element of shared or allocated cost. These include items such as electronic communication facilities i.e. telephone, e-mail and fax etc.

Mileage is recovered at 40p per mile.

A creditors' guide to Office Holder's fees can be downloaded from the following site: -

#### http://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees

Should you require a hard copy of this guide, please contact Focus Insolvency Group on 01257 257030.

Anthony Fisher MIPA, FABRP, Gary Birchall, MIPA, MABRP and Jane Hardy MIPA, MABRP are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.