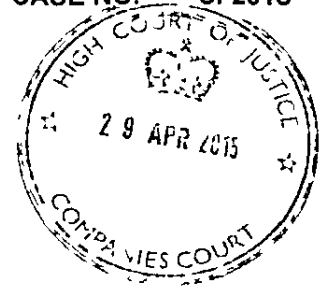


31754
DAY PROPERTY
HOLDINGS LTD.

CASE NO. of 2015



IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION

COMPANIES COURT
MR DEASTY
BEFORE REGISTRAR BRIGGS



DATED APRIL 2015

IN THE MATTER OF STERECYCLE (CARDIFF) LIMITED (IN ADMINISTRATION) AND OTHERS

AND IN THE MATTER OF BCP THREE LIMITED (IN CREDITORS VOLUNTARY LIQUIDATION) AND OTHERS

AND IN THE MATTER OF BALFOUR BEATTY PROJECTS & ENGINEERING LIMITED (IN MEMBERS VOLUNTARY LIQUIDATION) AND OTHERS

AND IN THE MATTER OF AJMAL KHAN (IN BANKRUPTCY)

AND IN THE MATTER OF PAUL JOHN MACKANESS (INSOLVENT DECEASED ESTATE)

AND IN THE MATTER OF AN OFFICE HOLDER

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

BETWEEN:

MICHAEL JAMES WELLARD

Applicant

and

(1) GUY ROBERT THOMAS HOLLANDER
(2) RODERICK JOHN WESTON
(3) NIGEL HEATH SINCLAIR

Respondents

ORDER

UPON THE APPLICATION of Michael James Wellard (the Applicant)

AND UPON READING the witness statements filed in support of the application

AND UPON the parties agreeing that the Court should dispose of this application without a hearing

AND BY CONSENT

IT IS ORDERED THAT:



- 1 The cases listed in Schedules A to E attached to this Order, in so far as they are currently proceedings in a County Court or in a District Registry of the High Court, be transferred to the High Court at the Royal Courts of Justice for the purpose of making the orders listed below
- 2 The Applicant be removed from the office of administrator of each of the companies listed in Schedule A to this Order with immediate effect
- 3 Roderick John Weston of Mazars LLP, Tower Bridge House, St Katharine's Way, London, E1W 1DD (the **First Successor Practitioner**) be appointed as the administrator of the company listed at item 1 in Schedule A to this Order in place of the Applicant with immediate effect
- 4 For the avoidance of doubt, the First Respondent will remain in office as the administrator of the company listed at item 1 in Schedule A to this Order and will hold office jointly together with the First Successor Practitioner (such appointment to be joint and several)
- 5 Guy Robert Thomas Hollander of Mazars LLP, Tower Bridge House, St Katharine's Way, London, E1W 1DD (the **Second Successor Practitioner**) be appointed as the administrator of each of the companies listed at items 2 to 4 (inclusive) in Schedule A to this Order in place of the Applicant with immediate effect
- 6 For the avoidance of doubt, the Second Respondent will remain in office as the administrator of each of the companies listed at items 2 to 4 (inclusive) in Schedule A to this Order and will hold office jointly together with the First Successor Practitioner (such appointment to be joint and several)
- 7 The Applicant be removed from the office of liquidator of each of the companies listed in Schedule B to this Order with immediate effect
- 8 The First Successor Practitioner be appointed as the liquidator of each of the companies listed at items 1 to 23 (inclusive) in Schedule B to this Order in place of the Applicant with immediate effect
- 9 For the avoidance of doubt, the First Respondent will remain in office as the liquidator of each of the companies listed at items 1 to 23 (inclusive) in Schedule B to this Order and will hold office jointly together with the First Successor Practitioner (such appointment to be joint and several)
- 10 The Second Successor Practitioner be appointed as the liquidator of each of the companies listed at items 24 to 27 (inclusive) in Schedule B to this Order in place of the Applicant with immediate effect
- 11 For the avoidance of doubt, the Second Respondent will remain in office as the liquidator of each of the companies listed at items 24 to 27 (inclusive) in Schedule B to this Order and will hold office jointly together with the Second Successor Practitioner (such appointment to be joint and several)
- 12 The Applicant be removed from the office of liquidator of each of the companies listed in Schedule C to this Order with immediate effect

- 13 The First Successor Practitioner be appointed as the liquidator of each of the companies listed at items 1 to 22 (inclusive) in Schedule C to this Order in place of the Applicant with immediate effect
- 14 For the avoidance of doubt, the First Respondent will remain in office as the liquidator of each of the companies listed at items 1 to 22 (inclusive) in Schedule C to this Order and will hold office jointly together with the First Successor Practitioner (such appointment to be joint and several)
- 15 The Second Successor Practitioner be appointed as the liquidator of the company listed at item 23 in Schedule C to this Order in place of the Applicant with immediate effect
- 16 For the avoidance of doubt, the Third Respondent will remain in office as the liquidator of the company listed at item 23 in Schedule C to this Order and will hold office jointly together with the Second Successor Practitioner (such appointment to be joint and several)
- 17 The Applicant be removed from the office of trustee in bankruptcy of the individual listed in Schedule D to this Order with immediate effect
- 18 The Second Successor Practitioner be appointed as the trustee in bankruptcy of the individual listed in Schedule D to this Order in place of the Applicant with immediate effect
- 19 For the avoidance of doubt, the Third Respondent will remain in office as the trustee in bankruptcy of the individual listed in Schedule D to this Order and will hold office jointly together with the Second Successor Practitioner (such appointment to be joint and several)
- 20 The Applicant be removed from the office of trustee in bankruptcy of the insolvent deceased estate of the individual listed in Schedule E to this Order with immediate effect
- 21 The Second Successor Practitioner be appointed as the trustee in bankruptcy of the insolvent deceased estate of the individual listed in Schedule E to this Order in place of the Applicant with immediate effect
- 22 For the avoidance of doubt, the Third Respondent will remain in office as the trustee in bankruptcy of the insolvent deceased estate of the individual listed in Schedule E to this Order and will hold office jointly together with the Second Successor Practitioner (such appointment to be joint and several)
- 23 Notwithstanding the removal of the Applicant and the appointment of the First and Second Successor Practitioners as the administrators of the companies listed in Schedule A to this Order any progress reports that are filed in relation to each of these companies will continue to cover the period specified in Rule 2 47(3) of the Insolvency Rules 1986
- 24 Notwithstanding the removal of the Applicant and the appointment of the First and Second Successor Practitioners as the liquidators of the companies listed in Schedule B to this Order any progress reports that are filed in relation to each of these companies will continue to cover the period specified in Rule 4 49(C-CVL)(2) of the Insolvency Rules 1986

- 25 Notwithstanding the removal of the Applicant and the appointment of the First and Second Successor Practitioners as the liquidators of the companies listed in Schedule C to this Order any progress reports that are filed in relation to each of these companies will continue to cover the period specified in Rule 4 49B(4) of the Insolvency Rules 1986
- 26 Notwithstanding the removal of the Applicant and the appointment of the Second Successor Practitioner as the trustee in bankruptcy of the individual listed in Schedule D to this Order any progress reports that are filed in relation to this individual will continue to cover the period specified in Rule 6 78A(3) of the Insolvency Rules 1986
- 27 Notwithstanding the removal of the Applicant and the appointment of the Second Successor Practitioner as the trustee in bankruptcy of the insolvent deceased estate of the individual listed in Schedule E to this Order any progress reports that are filed in relation to this individual will continue to cover the period specified in Rule 6 78A(3) of the Insolvency Rules 1986
- 28 Notwithstanding the removal of the Applicant and the appointment of the First and Second Successor Practitioners as the administrators of the companies listed in Schedule A to this Order and the liquidators of the companies listed in Schedules B and C to this Order the Applicant will not be required to submit a return to the Secretary of State pursuant to Rule 4(5)(b) of the Insolvent Companies (Reports on Conduct of Directors) Rules 1996
- 29 The First and Second Successor Practitioners do give notice of their appointment to all creditors of the estates listed in Schedules A to E to this Order within 28 days of the date of this Order by way of advertisement in the London Gazette
- 30 All creditors of the estates listed in Schedules A to E to this Order do have permission to apply to the Court, on notice to the Applicant, within 28 days of the advertisement referred to in paragraph 29 of this Order for the purposes of applying to vary or discharge the Order in so far as it affects the estate or estates of which they are a creditor
- 31 The Applicant be released from liability in respect of any action of his as administrator, liquidator and trustee in bankruptcy 28 days after the advertisement referred to in paragraph 29 above is placed in the London Gazette, save that such release may be subject to further order in the event of an application by any creditor as referred to in paragraph 30 above for the specific case subject to that application
- 32 The time for service of the Application Notice upon the Respondents be abridged
- 33 There be no Order as to costs
- 34 Permission to apply

Schedule A
Administrations

No	Name	Appointed on	Case Reference
1	Sterecycle (Cardiff) Limited	02/11/2012	8251 of 2012
2	J Durrance & Co Limited	08/12/2011	10642 of 2011
3	P A & M J Weaving	20/11/2013	8099 of 2014
4	Training For Life Limited	08/11/2012	8501 of 2012

Schedule B

Creditors Voluntary Liquidations

No	Name	Appointed on
1	BCP Three Limited	14/04/2014
2	Crawford & Russell International Limited	28/05/2014
3	Davy McKee (Sheffield) Limited	28/05/2014
4	Davy Property Holdings Limited	28/05/2014
5	Exponent (Rainbow) SPV 1 Limited	22/07/2013
6	Exponent (Rainbow) SPV 4 Limited	10/04/2014
7	Firth Brown Tools Limited	06/05/2014
8	HIP Hotels Media Limited	18/12/2014
9	Kvaerner (IOM) Limited	28/05/2014
10	Kvaerner E&C Holdings Limited	28/05/2014
11	Kvaerner Energy Limited	28/05/2014
12	Kvaerner Engineering & Construction (Overseas Trading) Limited	28/05/2014
13	Kvaerner Engineering & Construction UK Limited	28/05/2014
14	Kvaerner Metals Limited	28/05/2014
15	Leesona	11/12/2014
16	Leesona Plastics Machinery	11/12/2014
17	Revive FM Limited	12/11/2014
18	RGC Offshore Limited	28/05/2014
19	Sterecycle Holdings Limited	19/06/2013
20	TH Financial Services Limited	11/12/2014
21	Trafalgar House Finance Limited	11/12/2014
22	Walsh M&E UK Limited	22/06/2011
23	Yarm Road Limited	11/12/2014
24	ITI Energy Limited	29/10/2014
25	MK Memorials Limited	20/08/2013
26	Sabi Interiors Limited	05/03/2014
27	Sadborow Farms Limited	18/03/2015

Schedule C

Members Voluntary Liquidations

No.	Name	Appointed on
1	Balfour Beatty Projects & Engineering Limited	26/09/2014
2	Bear Stearns Overseas Funding Unlimited	25/06/2014
3	Birse Stadia Limited	26/09/2014
4	BMB Property Developments Limited	18/12/2014
5	R Mansell (City) Limited	26/09/2014
6	Cophall Overseas Limited	25/06/2014
7	CSN Acquisitions Limited	11/06/2014
8	CSN Holdings (UK) Limited	29/07/2014
9	R Mansell (Developments) Limited	26/09/2014
10	R Mansell (Homes) Limited	26/09/2014
11	Hall & Tawse Group Limited	26/09/2014
12	Inter Parfums Limited	25/06/2014
13	J P Morgan Trading and Finance	27/01/2015
14	Key Asset Management (UK) Limited	02/05/2014
15	Mansell Maintenance Limited	26/09/2014
16	Mansell Energy Limited	26/09/2014
17	Mansell Property Investments Limited	26/09/2014
18	Robert Fleming Holdings Limited	25/06/2014
19	SEB Nominees Limited	02/05/2014
20	Sunny Mount Limited	26/09/2014
21	Walgrave Group Limited	26/09/2014
22	Greenwich Insurance Holdings Limited	29/04/2014
23	R K Timber Limited	09/10/2013

Schedule D
Bankruptcies

No.	Name	Appointed on	Case Reference
1	Ajmal Khan	31/01/2014	140 of 2013

Schedule E

Insolvent Deceased Estates

No.	Name	Appointed on	Case Reference
1	Paul John Mackaness	19/07/2013	1721 of 2013

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Respondent

ORDER

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