

LIQ03

Notice of progress report in voluntary winding up



Companies House

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

1 Company details

Company number 0 9 0 2 9 1 0 2
Company name in full Wheelers Tandoori Limited

→ Filling in this form
Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Harjinder
Surname Johal

3 Liquidator's address

Building name/number 601 High Road Leytonstone
Street London
Post town E11 4PA
County/Region
Postcode
Country

4 Liquidator's name ①

Full forename(s) George
Surname Michael

① Other liquidator
Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number 601 High Road Leytonstone
Street London
Post town E11 4PA
County/Region
Postcode
Country

② Other liquidator
Use this section to tell us about
another liquidator.

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6 Period of progress report

From date	^d 0	^d 8	^m 1	^m 0	^y 2	^y 0	^y 2	^y 2
To date	^d 0	^d 7	^m 1	^m 0	^y 2	^y 0	^y 2	^y 3

7 Progress report

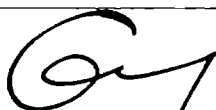
☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 0	^d 7	^m 1	^m 2	^y 2	^y 0	^y 2	^y 3
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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

Company name **Ashcrofts**

Address **601 High Road Leytonstone**

Post town

County/Region **London**

Postcode

E 1 1 4 P A

Country

DX

Telephone

020 8556 2888



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

Your Ref:

Our Ref: W126

7 November 2023

TO: **ALL MEMBERS & CREDITORS**

Dear Sir/Madam,

Wheeler Tandoori Limited (Creditors' Voluntary Liquidation ("CVL"))

As you are aware, Harjinder Johal and I were appointed as Joint Liquidators of the Company on 8 October 2020.

I enclose for your attention a copy of the progress report for the third year of the liquidation. This is an insolvent liquidation and further information on creditors rights in insolvency and the insolvency process can be found at <http://www.creditorinsolvencyguide.co.uk/>. This site is provided by R3, the professional trade body for Insolvency Practitioners.

Information about the basis of charging fees in a CVL is also available at <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/more/29114/page/1/guide-to-liquidators-fees/>.

Communication

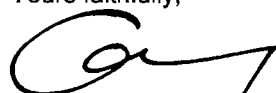
For administrative ease, you are able to receive statutory correspondence by email if you would prefer. Where this is the case, kindly inform this office in writing.

Kindly keep me informed of any changes to address or other contact details during my administration of the Company's affairs.

Distributions

A dividend will be paid in this matter but at this time I am unable neither to advise as to the amount of the dividend nor the date when it will be paid.

Yours faithfully,



George Michael
Joint Liquidator

Enc: Progress Report



Harjinder Singh Johal FIPA FABRP and George Nicholas Michael FIPA FABRP are authorised to act as Insolvency Practitioners by the Insolvency Practitioners Association (IPA) under office holder numbers 9175 and 9230 respectively and do so without personal liability.

When acting as Administrator(s), Insolvency Practitioners manage the affairs, business and assets of the company, acting as agents of the company.

Insolvency Practitioners are bound by the Insolvency Code of Ethics when carrying out all professional work relating to insolvency appointments.
Ashcrofts Limited t/a Ashcrofts is registered with the Information Commissioner's Office (ICO) under registration number ZA272152.

The firm's privacy policy can be found on its website.

Ashcrofts Limited t/a Ashcrofts is registered in England and Wales (registered number 06375972) Registered office: 601 High Road Leytonstone, London, E11 4PA.



**Insolvency
Practitioners
Association**

WHEELERS TANDOORI LIMITED
IN CREDITORS' VOLUNTARY LIQUIDATION ("CVL") ("the company")

Annual Progress Report to the Members and Creditors
Pursuant to Section 104A of the Insolvency Act 1986

For the period 8 October 2022 to 7 October 2023

Contents

- Progress of the Liquidation
- Receipts and Payments
- Realisation of Assets
- Creditors' Claims and Dividends
- Liquidators Remuneration
- Liquidators' Expenses
- Creditors Rights
- Conclusion

Appendices

Receipts and Payments account for the period and cumulative from 8 October 2020 to 7 October 2023

Appendix I Statutory Information

Appendix II Additional Information on Charge Out Rates and Expenses

Information about the way that we will use, and store personal data on insolvency appointments can be found at [https://www.insolvency.gov.uk/insolvency-appointments/](#). If you are unable to download this, please contact us and a hard copy will be provided to you free of charge.

Progress of The Liquidation

This report is to provide creditors with an update on the progress made in the liquidation during the period from 8 October 2022 to 7 October 2023 ("the review period").

In our previous report we informed you that the company obtained a bounce back loan and a council grant under the Covid 19 Pandemic provisions. We were in correspondence with the director in respect of various matters that had arisen from our investigations. As the director failed to provide sufficient explanations and supporting documentation to our enquiries, we appointed solicitors who pursued the matter on our behalf. Following Court proceedings for misfeasance a settlement of £37,500 was reached with director. I can confirm that this amount has been paid in full.

There are no further assets to be realised and we will shortly begin the process of reviewing and adjudication creditors' claims.

We shall continue our administration of this liquidation and hope to finalise the outstanding matters that are preventing this case from being closed.

Receipts and Payments Account

I attach a copy of our receipts and payments account for the review period, please note that the figures are shown net of VAT.

The Receipts and Payments are largely self-explanatory, and I would comment specifically on the movements since our last report.

Work undertaken in period:

Details of work undertaken is given in the table below. I would comment on the following specific aspects:

Realisation of Assets

Settlement of Misfeasance Claim

As detailed above the sum of £37,500 was received in full settlement of the misfeasance claim against the director.

Legal Costs Recovered

The amount of £9,500 was recovered for legal costs.

VAT Repayment

This relates to a repayment from H M Revenue & Customs in respect of liquidation expenses.

Creditors' Claims and Dividends

We have received the following claims in the liquidation so far:

<u>Preferential</u>	<u>Non-preferential</u>	<u>Total</u>
£	£	£
Nil	£59,509.78	£59,509.78
===	=====	=====

Secured Creditors

There are no charges registered against the Company and therefore the provisions relating to the prescribed part for creditors do not apply in this case.

Unsecured Creditors

The claims from five unsecured creditors were acknowledged when received.

A dividend will be paid in this matter but at this time I am unable neither to advise as to the amount of the dividend nor the date when it will be paid.

Liquidators Remuneration

Details of our remuneration are set out below. You may also find it useful to read "A guide to Liquidators' fees" which can be downloaded from the R3 website at <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/more/29114/page/1/guide-to-liquidators-fees/>.

Alternatively, please contact our office and we will arrange for a hard copy to be sent to you, free of charge if you would prefer.

Fixed Fee Basis

We were authorised to draw a fixed fee of £12,000 plus VAT at the Virtual Meeting of Creditors held on 8 October 2020, for our work in dealing with the liquidation.

To date we have drawn our fees of £12,000 in full. No further fees will be drawn.

A copy of our charge out rates and information on the recovery of expenses are set out in Appendix II.

A description of the routine work undertaken in the liquidation since our last report is as follows:

General Description	Includes
Admin & Planning	This work will not necessarily bring any financial benefit to creditors but is required on every case by statute and contributes to the efficient and effective administration of the estate. Lodging periodic returns with the Registrar of Companies for the liquidation. Dealing with post liquidation VAT issues and corporation tax returns. Maintaining physical case files and electronic case details on IPS. Monitoring bonding. Updating checklists and diary management system. Conducting case reviews.
Cashiering	Dealing with receipts into and payments out of the bank account. Monthly bank statement reconciliations.
Creditors	This work will not necessarily bring any financial benefit to creditors unless a distribution is anticipated, however, this work is required by statute. Preparing, reviewing and issuing annual progress reports to creditors and members. Maintaining creditors information on IPS and submission of their claims.
Investigations	This work may not necessarily bring any financial benefit to creditors unless these investigations reveal potential asset recoveries that I can pursue for the benefit of creditors. Further investigations regarding payments made from the company's bank account and correspondence to the director.
Realisation of Assets	Work undertaken to date to recover assets may bring a financial benefit to creditors through the distribution of funds available to creditors after settlement of properly authorised costs and expenses. Liaising with DBP Law our solicitors in respect of the misfeasance claim. Reviewing various documents, witness statement and consent order. Meeting with the director and connected parties. Negotiate settlement agreement.

Liquidators Expenses

The following category 1 expenses were incurred and have been paid. There was an increase for bonding of £180.00 which has been paid by the practise. This will be drawn shortly.

<u>Expenses</u>	<u>Amount incurred</u>
Indemnity Bond	£230.00
Statutory Advertising	£237.00

Legal Fees

DBP Law Solicitors were paid a fee of £17,783.34 plus VAT for their work in liaising with the director. Advising in regard to the misfeasance claim and connected parties, Making application for examination. Instructing counsel. Reviewing all correspondence.

The amount of £8,700 has been paid in respect of Counsel fees for their advice, review and amendment of statements and documents.

Court Fee

The amount of £280 was paid for court fees.

The choice of professionals was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them. The fees charged have been reviewed and we are satisfied that they are reasonable in the circumstances of this case.

Matters still to be dealt with

- Payment of outstanding costs
- Adjudicating claims and paying a dividend
- Statutory closing requirements

Creditors' Rights

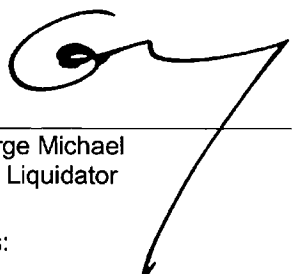
Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors), may request in writing that the Liquidator provides further information about their remuneration or expenses which have been itemised in 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, in all the circumstances, the basis fixed for the Liquidator's remuneration is inappropriate and/or the remuneration charged, or the expenses incurred by the Liquidator, as set out in this progress report, are excessive.

Conclusion

The joint liquidators will provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation unless we have concluded matters prior to this. In which case we will write to all creditors with our final account prior to dissolution.

If you wish to discuss the issues raised in this report or require any additional information, please contact this office.

A handwritten signature in black ink, appearing to read 'George Michael', is written over a horizontal line. A long, thin arrow points from the bottom of the signature down towards the 'Encs:' text.

George Michael
Joint Liquidator

Encs:

**Wheelers Tandoori Limited Trading As: Wheelers Tandoori
(In Liquidation)**

JOINT LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT

	Statement of affairs £	From 08/10/2022 To 07/10/2023 £	From 08/10/2020 To 07/10/2023 £
RECEIPTS			
Plant & Machinery	Uncertain	0.00	0.00
Stock	Uncertain	0.00	0.00
Cash at Bank	4,054.23	0.00	478.51
Settlement of Misfeasance Claim		37,500.00	37,500.00
Legal Costs Recovered		9,500.00	9,500.00
VAT Repayment		8,266.55	8,354.18
		55,266.55	55,832.69
PAYMENTS			
Specific Bond		0.00	50.00
Statement of Affairs Fee		3,000.00	3,000.00
Liquidators Fees		11,848.84	12,000.00
Legal Fees		17,783.34	17,783.34
Counsel Fees		8,700.00	8,700.00
Court Fee		280.00	280.00
Statutory Advertising		0.00	237.00
Bank Charges		0.00	40.35
Trade & Expense Creditors	(7,658.42)	0.00	0.00
Directors	(33,949.12)	0.00	0.00
HM Revenue & Customs	(4,710.84)	0.00	0.00
Lanlords	(1,166.59)	0.00	0.00
Ordinary Shareholders	(100.00)	0.00	0.00
Input VAT		8,267.15	8,354.78
		49,879.33	50,445.47
BALANCE - 07 October 2023			5,387.22

Appendix I

Statutory Information

Company Details

Company Name	Wheelers Tandoori Limited
Trading as:	Wheelers Tandoori
Principal Activity:	Indian Restaurant and Takeaway
Registered office:	601 High Road Leytonstone, London, E11 4PA
Former Registered Office:	187a Hertford Road, London, N9 7EP
Principal Trading Address:	458 London Road, Benfleet, Essex, SS7 1AW
Registered number:	09029102
Contact Details for Case:	Amrit Johal 020 8556 2888 a.johal@ashcrofts.co.uk

Appointment Details

Joint Liquidators:	Harjinder Johal IP Number: 9175 George Michael IP Number: 9230
Address:	Ashcrofts, 601 High Road, Leytonstone, London, E11 4PA 020 8556 2888 info@ashcrofts.co.uk
Date of Appointment:	8 October 2020
Actions of Joint Liquidators:	Any act required or authorised under any enactment to be done by a Liquidator may be done by either or both of the Liquidators acting jointly or alone

Ashcrofts

CHARGE OUT RATES & POLICY REGARDING THE RECOVERY OF EXPENSES PURSUANT TO STATEMENT OF INSOLVENCY PRACTICE 9

The following information applies to all appointments of Insolvency Practitioners of Ashcrofts to act as any of the following:-

- Liquidator, Receiver, Administrator or Administrative Receiver of a Limited Company
- Trustee in Bankruptcy
- Supervisor of an Individual, Company or Partnership Voluntary Arrangement
- Administrator under the Insolvent Estates Order
- Monitor

When acting as Nominee, the provisions of the Insolvency Act require that the amount of the fees payable to the Office-holder be specified within the Debtor's proposals. Such fees will nevertheless be fixed to take account of the Office-holder's expected time costs arising as referred to below.

1. POLICY ON FEES

Fees are either fixed by reference to time costs, or as a percentage of realisations and distributions, or a set amount or any combination of all three. Where fees are agreed on a time cost basis, rates may be varied from time to time, at the sole discretion of Ashcrofts, and such changes will be notified in retrospect with each report to Creditors. It is the policy of Ashcrofts to use as junior grade of staff as compatible with the efficient conduct of the matter in order to ensure costs are kept to a minimum.

1.1. Charge-out rates

Where the approved basis of remuneration is on a time costs basis, work undertaken on cases is recorded in 6 minute units. Time properly incurred on cases is charged at the hourly rate of the grade of staff undertaking the work that applies at the time the work is done. Details of charge-out rates effective from January 2021 are as follows:

	Rate from 1 January 2012	Rate from 1 April 2022 Per Hour (£)
Directors/Consultant	335	395
Manager	225	300
Administrator	155-195	180-210
Cashier	110-335	140 -395
Assistant	110	140

Rates vary between individuals, reflecting experience and qualification. Please note that support staff time is charged to the case at the rate indicated where work undertaken is directly attributable to the case. Rates are subject to review and may increase periodically. Any change in rates will be advised to creditors.

For further information on the manner in which an Office Holder's fees may be fixed, please refer to the guidance notes in relation to fees which can be downloaded from <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/more/29114/page/1/guide-to-liquidators-fees/>.

1.2. Fixed and % fees

Where fees are authorised and approved as a fixed fee and/or % fee this fee is to cover the costs incurred by the Insolvency Practitioner and his staff and does not include any additional direct costs. Once agreed, the fixed or percentage fee can only be increased where there has been a material and substantial change in the circumstances in the case. If this is not the case, any request for an increase can only be approved by the Court.

2. RECOVERY OF EXPENSES

An expense is a directly attributable cost to the estate which is neither an office holder's remuneration nor a distribution to creditors or members. Expenses can include disbursements, payments met by the office holder and subsequently recovered from the estate, and are divided into those that do not need approval before they are charged to the estate (category 1) and those that do (category 2).

Category 1 expenses are payments to independent third parties and do not have to be approved prior to payment, but when reporting to the liquidation committee and creditors during the course of the liquidation the actual expenses incurred will be compared with the original estimate provided with any material difference explained (e.g. where legal costs rise due to escalated recovery action). This will include any case related travel or subsistence properly incurred by staff working on this case and re-imbursed to the firm as a disbursement.

Category 2 expenses are payments to associates, or parties with a professional or personal relationship, or payments which have an element of shared costs. These expenses require approval in the same manner as an office holder's remuneration. Where it is necessary for staff to travel from the office in connection with the administration of the estate, business mileage may be charged at the HMRC standard rate of 45p per mile.

An estimate of expenses (including disbursements) is provided to creditors when the basis of the office-holder's fees are approved.

The expenses recovered by Ashcrofts are as follows:-

Expenses	Charge
Category 1	
Bond	At cost
Statutory Advertising	At cost
External postage	At cost
External storage	At cost
Other travel charges are recharged at 100% of the fare/cost incurred by the office holder, his staff or relevant party	At cost in accordance with internal policy
Category 2	
Mileage (where any staff or office holder of Ashcrofts utilises their own vehicle)	45p/mile

2.1. Professional Advisors

Professional advisers are selected with regard to the specific requirements of the case and based upon the office-holders professional judgement of their experience and ability to perform the necessary work, the complexity and nature of the assignment and the basis of the fee arrangement. The Office-holder is obliged to ensure that such advice or work is warranted and that the advice or work reflects the best value and service for work undertaken.

Expenses incurred in respect of specialist advisers are subject to independent assessment prior to engagement and reported in accordance with current guidance. Unless a significant personal or professional relationship, that may give rise to a potential threat or conflict, has been identified with any Advisor their costs are regarded as category 1 expenses.

2.2. The use of Subcontractors

The liquidator may sub-contract some of the work they are required to undertake to specialist providers where the Liquidator is satisfied that taking this approach ensure that the best value and service is provided to creditors because specific expertise is required and it is more cost effective. The rates charged are comparable with the market rate for such services and the work to be undertaken, the need for the work and the cost are reported to creditors.