

DUPLICATE

In the High Court of New Zealand
Wellington Registry

CIV-20 13 -485- 689

CIV: 2013-

Under Part 18 of the High Court Rules

In the matter of the Companies Act 1993

Between **ANUSHEEL CHANDRA** of 3 Lone Tree Grove, Kelson,
Lower Hutt, company director

(first plaintiff)

And **PETER ROBERT SEWELL** of 84a Pretoria Street,
Lower Hutt, company director

(second plaintiff)

And **IAIN BRUCE SHEPHARD AND CHRISTINE
MARGARET DUNPHY** in their capacity as Liquidators
of Command Services Limited (in liquidation) whose
registered office is Level 2, Zephyr Building, 82 Willis
Street, Wellington

(defendants)

APPLICATION FOR DIRECTIONS BY FIRST AND SECOND PLAINTIFFS

**GIBSON SHEAT
LAWYERS
WELLINGTON**

Solicitor: J W McDougall/E M S Cox
(james.mcdougall@gibsonsheat.com)

Counsel acting: CF Reid

Plaintiffs' Solicitor
1 Grey Street
PO Box 2966
DX SP22035, Wellington
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TO the Registrar of the High Court at Wellington


AND TO the defendants/respondents

This document notifies you that:

1. **THE** applicants, Anusheel Chandra and Peter Robert Sewell will on 21 May 2013 at 10:00 am 2013 apply to the Court for orders directing that:
 - 1.1 service of the statement of claim on any third party, including creditors of the failed company, Command Services Limited (in liquidation), be dispensed with; and
 - 1.2 evidence in this proceeding be given by means of an agreed statement of facts in accordance with rule 18.15(1)(a).
2. **THE** grounds on which the orders are sought are as follows:
 - 2.1 the defendants are the joint liquidators of the failed company and represent the interests of creditors of the failed company;
 - 2.2 no prejudice is caused to any third party by making such orders;
 - 2.3 the parties are working together to prepare the evidence for hearing; and
 - 2.4 such orders will enable the Court to determine the proceeding in a prompt and cost efficient manner.
3. **THE** application is made in reliance on s 386A(1) of the Companies Act 1993 and rule 18.4(1)(b) of the High Court Rules.

Date: 29 April 2013

Signature


C F Reid (counsel for the applicants)

This application is filed by **EDWARD MICHAEL SOMERS COX**, solicitor for the applicants of the firm of Gibson Sheat.

The address for service of the abovenamed plaintiffs/applicants is at the offices of Gibson Sheat, Lawyers, 1 Grey Street, Wellington. Documents for service on the application may be left at the address for service or may be:

- a. Posted to the solicitor at Gibson Sheat, Lawyers, Box 2966, Wellington; or
- b. Left for the solicitor at the document exchange for direction to Gibson Sheat, Lawyers, DX SP22035; or
- c. Transmitted to the solicitor by facsimile to Gibson Sheat, Lawyers, Fax No. 04 496 9991.