

In the High Court of New Zealand
Palmerston North Registry

M. No. 27/82

IN THE MATTER of the Companies Act 1955, and IN THE MATTER of MERCERS CARAVAN COURT LIMITED, a duly incorporated company having its registered office at Main Road, Sanson:

NOTICE is hereby given that a petition for the winding up of the above-named company by the High Court was, on the 18th day of March 1982, presented to the said Court by CRESTA CRAFT LIMITED, a duly incorporated company having its registered office at Christchurch; and the said petition is directed to be heard before the Court sitting at Palmerston North on the 5th day of May 1982, at 9.30 o'clock in the forenoon; and any creditor or contributory of the said company desirous to support or oppose the making of an order on the said petition may appear at the time of hearing in person or by his counsel for that purpose; and a copy of the petition will be furnished by the undersigned to any creditor or contributory of the said company requiring a copy on payment of the regulated charge for the same.

G. M. BRODIE, Solicitor for Petitioner.

This notice is filed by Geoffrey Martin Brodie, solicitor for the petitioner. The petitioner's address for service is at the offices of Messrs Cooper Rapley and Co., Solicitors, 240 Broadway Avenue, Palmerston North.

NOTE—Any person who intends to appear on the hearing of the said petition must serve on, or send by post to the abovenamed, notice in writing of his intention to do so. The notice must state the name, address, and description of the person or if a firm, the name, address, and description of the firm, and his address for service within 3 miles of the office of the High Court at Palmerston North, and must be signed by the person, or firm, or his or her solicitor (if any), and must be served, or, if posted, must be sent by post in sufficient time to reach the above-named petitioner's address for service no later than 4 o'clock in the afternoon on the 4th day of May 1982.

7238

M. No. 108/82

In the High Court of New Zealand
Wellington Registry

IN THE MATTER of the Companies Act 1955, and IN THE MATTER of STOCK CAR PROMOTIONS (WELLINGTON) LIMITED, a duly incorporated company having its registered office at Sixth Floor, Brandon House, Wellington and carrying on business as a stock car promoter:

NOTICE is hereby given that a petition for the winding up of the above-named company by the High Court was, on the 17th day of March 1982, presented to the said Court by STEPHEN BRATTLE and HELEN MARGARET BRATTLE a partnership trading under the name Silhouette Signs of 1 Islington Street, Trentham; and the said petition is directed to be heard before the Court sitting at Wellington on the 5th day of May 1982, at 10 o'clock in the forenoon; and any creditor or contributory of the said company desirous to support or oppose the making of an order on the said petition may appear at the time of hearing in person or by his counsel for that purpose; and a copy of the petition will be furnished by the undersigned to any creditor or contributory of the said company requiring a copy on payment of the regulated charge for the same.

D. W. BUTLER, Solicitor for the Petitioner.

This notice is filed by David William Butler, solicitor for the petitioners whose address for service is at the offices of Messrs Gillespie, Young & Co., Barristers and Solicitors, Sixth Floor, Local Government Building, Lambton Quay, Wellington.

NOTE—Any person who intends to appear on the hearing of the said petition must serve on, or send by post, to the abovenamed, notice in writing of his intention to do so. The notice must state the name, address, and description of the person, or, if a firm, the name, address, and description of the firm, and an address for service within 3 miles of the office of the High Court at Wellington, and must be signed by the person or firm, or his or their solicitor (if any), and must be served, or, if posted, must be sent by post in sufficient time to reach the above-named petitioner's address for service no later than 4 o'clock in the afternoon of the 4th day of May 1982.

7263

In the High Court of New Zealand
Christchurch Registry

M. No. 164/82

IN THE MATTER of the Companies Act 1955, and IN THE MATTER of ASHBY BERGH AND COMPANY LIMITED, a duly incorporated company having its registered office at 322-332 Manchester Street, Christchurch:

BEFORE THE HONOURABLE MR JUSTICE COOK

Monday, the 5th day of April 1982 and Wednesday, the 7th day of April 1982.

UPON reading the notices of motion of the above-named company dated the 1st and 2nd days of April 1982 and the affidavit filed in support thereof and it appearing that the special resolution authorising distribution of the sum of one hundred and five thousand two hundred and sixty six dollars (\$105,266.00) standing to the credit of the share premium account of Ashby Bergh and Company Limited was duly passed and that by order made on the 5th day of April 1982 by this Honourable Court that having regard to the special circumstances of the case it was directed that section 76 (2) of the Companies Act 1955 shall not apply as regards the creditors of the applicant and that publication of presentation of the motion filed herein for confirmation of distribution of share premium account and of the date of hearing thereof be dispensed with and upon hearing Mr P. M. James of counsel for the applicant on the 7th day of April 1982 this Court hereby orders:—

1. That the special resolution passed at the annual general meeting of Ashby Bergh and Company Limited held on the 25th day of November 1981 which resolution is in the words and figures following, that is to say:

- (a) That subject to the confirmation of the High Court and to any conditions imposed by the High Court the sum of one hundred and five thousand two hundred and sixty six dollars (\$105,266.00) standing to the credit of share premium account in the books of account of the company as at the 25th day of November 1981 may be distributed to the holders from time to time of the ordinary shares in the capital of the company.
- (b) That the distribution of the amount mentioned above may be effected at such intervals and by a series of payments of such amounts as the directors may from time to time determine to the holders from time to time of the ordinary shares in the capital of the company divided rateably (but subject always to the provisions of article 121A of the articles of association) in proportion to the amounts paid up on the ordinary shares held by them.
- (c) That prior to making each such distribution, the directors shall transfer from the revenue reserve of the company to a fund to be designated "capital replacement fund" an amount equal to the amount to be distributed, such fund not to be available for the payment of dividend nor without the approval of the High Court for distribution to shareholders but may be applied in paying up unissued shares of the company as fully paid bonus shares.

BE and the same is hereby confirmed upon and subject to the following condition:

- That the terms parts (b) and (c) of the aforesaid resolution not be altered without the further confirmation of this Honourable Court.
2. That a sealed copy of this order be registered with the Registrar of Companies.
3. That notice of registration of this order with the Registrar of Companies be published, once in the *New Zealand Gazette*.
4. That it is not necessary for any minute relating to the distribution of the share premium account of Ashby Bergh and Company Limited to be produced to the Registrar of Companies pursuant to section 78 (1) of the Companies Act 1955 or to be registered as required by section 78 (2) of the Companies Act 1955.

By the Court:

P. R. FANTHAM, Deputy Registrar.

7225

In the High Court of New Zealand
Christchurch Registry

IN THE MATTER of the Companies Act 1955, and IN THE MATTER of CLARK CONSTRUCTION LTD., a duly incorporated company having its registered office at the offices of Messrs Hogg Young Cathie and Co., Seventh Floor, National Insurance House, 217 Gloucester Street, Christchurch, carrying on business there as land developers: