
IN THE DISTRICT COURT OF COLOMBO

**NIHAL SRI AMERESEKERE of
No.167/4, Sri Vipulasena Mawatha,
Colombo 10.**

PLAINTIFF

No.3155/Sp1.

- VS -

1. **MITSUI AND COMPANY LIMITED**, a Company organized and existing under the Laws of Japan and having the Principal Place of business at 2-1, Ohtemachi 1-Chome, Chiyoda-Ku, Tokyo, Japan and having a Liaison office and/or a Place of business in Sri Lanka at No.315, Vauxhall Street, Colombo 02.
2. **TAISEI CORPORATION**, a Company organized and existing under the Laws of Japan and having the Principal place of business at 25-1, Nishi-Shinjuku 1-chome, Shinjuku-ku, Tokyo, Japan and having a Liaison Office and/or Place of business in Sri Lanka at No.65, High Level Road, Maharagama and presently of Colombo Hilton Hotel, Echelon Square, Colombo 1.
3. **KANKO KIKAKU SEKKEISHA YOZO SHIBATA & ASSOCIATES**, Architects & Designers, a corporation duly organized under the Laws of Japan and having the Principal place of business at No.9, Mori Building, 1-2-2, Atago, Minato-ku, Tokyo, Japan.
4. **HOTEL DEVELOPERS (LANKA) LIMITED**, formerly known as LANKA JAPAN HOTELS LIMITED, and of No.16, Alfred Place, Colombo 03, with an Operational Office at 1000, Echelon Square, Colombo 1.
5. **CORNEL LIONEL PERERA**, Chairman/Managing Director, Hotel Developers (Lanka) Limited, of 16, Alfred Place, Colombo 03.
6. **FREDERICK GERMAIN NOEL MENDIS**, Director, Hotel Developers (Lanka) Limited, and of No.51/3, Dharmapala Mawatha, Colombo 03.
7. **KAIRSHASP NARIMAN CHOKSY**, Director, Hotel Developers (Lanka) Limited, of 23/2, Sir Ernest de Silva Mawatha, Colombo 07.
8. **DON PETER SEVERINUS PERERA**, Director, Hotel Developers (Lanka) Limited, of No.696/2, Havelock Road, Colombo 06.
9. **KAZUTAKA KOBOI**, Director of Hotel Developers (Lanka) Limited, and of 6-38, Fujimicho, Chigasaki, Kasagawa, Japan.

10. KANAPATHIPILLAI SHANMUGALINGAM, Director, Hotel Developers (Lanka) Limited, and of No.4, Ramakrishna Avenue, Colombo 06 and presently of 75 1/1, Isipatana Mawatha, Colombo 5.
11. KOJI ITO, Director of Hotel Developers (Lanka) Limited, and presently of No.315, Vauxhall Street, Colombo 02.

DEFENDANTS

WE MOVE that the Court be pleased to make an Order under Section 102(1) of the Civil Procedure Code directing the 1st & 2nd Defendants, 3rd Defendant and 4th Defendant abovenamed respectively, to declare by Affidavit all the Documents which are or have been in their possession or power relating to all the matters in question, in this Action, in so far as these Defendants are concerned.

WE ALSO MOVE that the Court be pleased to direct the Notice of Order (in the Form annexed hereto marked "A", "B" & "C") be served on the said Defendants through their respective Attorneys-at-law.

WE further MOVE that the Court be pleased to call this Case on 12th of March 1992, to enable the Plaintiff's Counsel to support this Motion.

Colombo, 10th of March 1992

Desilwan

Attorneys-at-law for Plaintiff

NOTICE OF ORDER UNDER SECTION 102 OF THE CIVIL PROCEDURE CODE

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8. DON PETER SEVERINUS PERERA, Director, Hotel Developers (Lanka) Limited, of No.696/2, Havelock Road, Colombo 06.
9. KAZUTAKA KOBOI, Director of Hotel Developers (Lanka) Limited, and of 6-38, Fujimicho, Chigasaki, Kasagawa, Japan.

10. KANAPATHIPILLAI SHANMUGALINGAM, Director, Hotel Developers (Lanka) Limited, and of No.4, Ramakrishna Avenue, Colombo 06 and presently of 75 1/1, Isipatana Mawatha, Colombo 5.
11. KOJI ITO, Director of Hotel Developers (Lanka) Limited, and presently of No.315, Vauxhall Street, Colombo 02.

DEFENDANTS

To:

The 1st & 2nd Defendants abovenamed

(To be served through their registered Attorney-at-law Mr. Razmara Abdeen, 218 Hulftsdorp Street, Colombo 12.)

TAKE NOTICE that you are hereby ordered to declare by Affidavit within 10 days of service of this Notice all the Documents which are or have been in your possession or power relating to all the matters in question in this Action, in so far as you are concerned.

DISTRICT JUDGE, Colombo.

..... day of March 1992

Drawn by us:



Attorneys-at-law for Plaintiff

"B"

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11. KOJI ITO, Director of Hotel Developers (Lanka) Limited, and presently of No.315, Vauxhall Street, Colombo 02.

DEFENDANTS

To:

The 3rd Defendant abovenamed

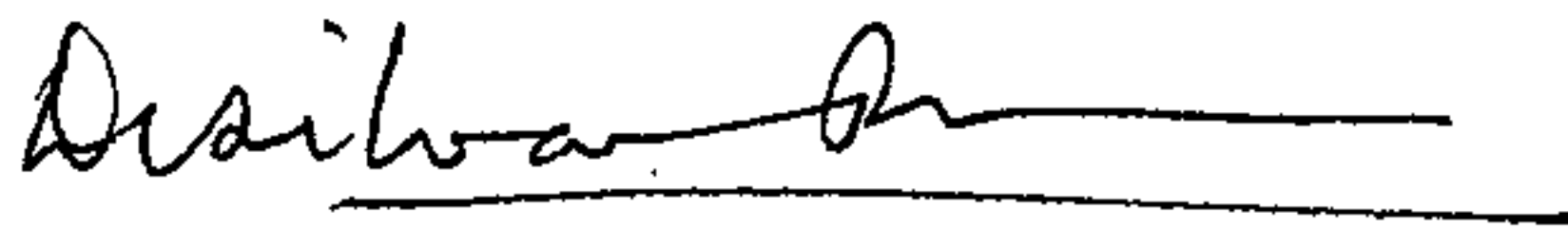
(To be served through their registered Attorney-at-law Mr. S.D. Yogendra, 136, Hulftsdorp Street, Colombo 12.)

TAKE NOTICE that you are hereby ordered to declare by Affidavit within 10 days of service of this Notice all the Documents which are or have been in your possession or power relating to all the matters in question in this Action, in so far as you are concerned.

DISTRICT JUDGE, Colombo.

..... day of March 1992

Drawn by us:



Attorneys-at-law for Plaintiff

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DEFENDANTS

To:

The 4th Defendant abovenamed

(To be served through their registered Attorney-at-law Mr. T.G. Guneratne, Attorney-General's Department, Colombo 12.)

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DISTRICT JUDGE, Colombo.

..10th day of March 1992

Drawn by us:



Attorneys-at-law for Plaintiff