

IN THE DISTRICT COURT OF COLOMBO

Nihal Sri Ameresekere
of 167/4, Sri Vipulasena Mawatha,
Colombo 10.

PLAINTIFF

Case No. : 19849/MR

Vs

Gamini Lakshman Peiris,
of "Visumpaya", Staples Street,
Colombo 2, and also of
37, Kirula Place, Colombo 5.

DEFENDANT

WHEREAS pursuant to proceedings in Court today, when Court intimated to the Plaintiff, that the Defendant has refused to answer the Interrogatories

AND WHEREAS the Plaintiff carried an examination of the record in the matter and noted that the Defendant:

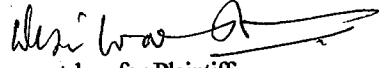
- a) had filed a Motion dated 6th March 1998,
- b) moving that the Statement of Objections tendered be filed of record and
- c) has neither supported the same, nor
- d) served notice of same on the Plaintiff, nor
- e) filed Affidavit in terms of Section 99 of the Civil Procedure Code

WE MOVE that the said Motion and Statement of Objections be rejected as contrary to law

AND WHEREAS this constitutes wilful and contumacious conduct on the part of the Defendant in omitting to duly answer the Interrogatories, as required by law, the Plaintiff will in due course take steps to apply to Court to make an Order requiring the Defendant to answer the Interrogatories as mandated by law

WE FURTHER MOVE that this matter be mentioned in open Court on 13th March 1998 to enable the Counsel for Plaintiff to support the same.

Colombo, this 9th day of March 1998


Attorneys-at-law for Plaintiff

A copy of this Motion having
been sent by Registered post to
the Attorneys-at-law for the
Defendant, the Registered Postal
Article Receipt in proof thereof
is attached hereto


Attorneys-at-law for Plaintiff