

IN THE HIGH COURT OF THE  
WESTERN PROVINCE  
[SITTING IN COLOMBO]  
EXERCISING CIVIL JURISDICTION

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

PLAINTIFF

D.C. COLOMBO  
CASE NO. 3155/Sp1.

- VS -

1. MITSUI & CO., LTD. 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. TATSEI 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 SEKKETSHA 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.

& 7 OTHERS

DEFENDANTS

WHEREAS the Plaintiff abovenamed instituted the above-styled Derivative Action in law in the District Court of Colombo, praying for reliefs against the 1st, 2nd, 3rd and 4th Defendants and sought and obtained Interim Injunctions against the said Defendants as prayed for in the Plaint

AND WHEREAS Their Lordships of the Supreme Court on 2nd December 1992 by Judgment in Supreme Court Appeal Nos. 33/92 and 34/92 affirmed and upheld the Order of the learned District Judge granting the said Interim Injunctions

AND WHEREAS the Plaintiff, 1st, 2nd, 3rd and 4th Defendants and the Government of the Democratic Socialist Republic of Sri Lanka have entered into Agreements settling the several issues, including costs, in this Action

AND WHEREAS the 5th to 11th Defendants were named as parties to this Action only in their capacity as the then Directors of the 4th Defendant and no reliefs were claimed against any of them

AND WHEREFORE, in the circumstances aforesaid, we, the Plaintiff, 1st, 2nd, 3rd and 4th Defendants do hereby jointly and severally move and consent to the dissolution of the said Interim Injunctions and the withdrawal and dismissal of this Action

This 22nd day of October 1996

*W. Li Wan*

Attorneys-at-Law  
for the Plaintiff

We consent

*S. D. Yip*

Attorneys-at-Law  
for the 1st & 2nd Defendants

We consent

*S. D. Yip*

Attorneys-at-Law  
for the 3rd Defendant

We consent

*N.*

Attorneys-at-Law  
for the 4th Defendant

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IN THE DISTRICT COURT OF COLOMBO

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NTHAI SRT AMFRESEKERE  
No. 167/4, Sri Vipulasena Mawatha  
Colombo 10.

PLAINTIFF

CASE NO. 3231/Spl.

- VS -

HOTEL DEVELOPERS (LANKA) LTD.,  
formerly known as Lanka Japan Hotel Co.,  
No. 16, Alfred Place, Colombo 3.

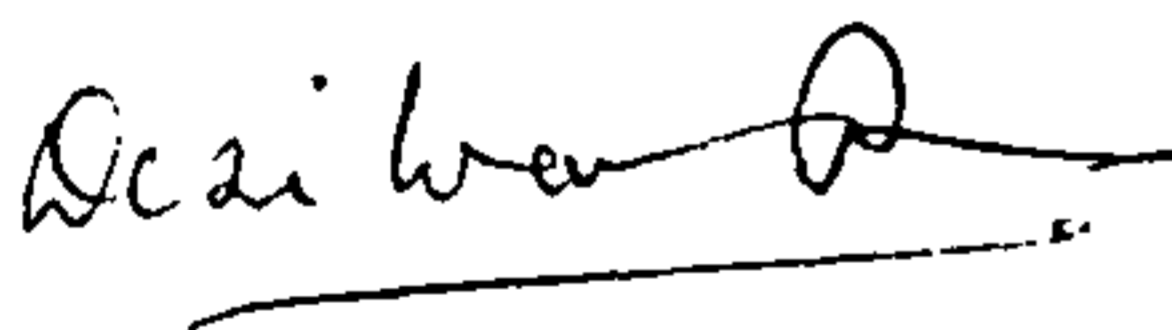
DEFFNDANT

WHEREAS the Plaintiff abovenamed instituted the above-styled Derivative Action in law, praying for reliefs against the Defendant and sought and obtained an Enjoining Order against the said Defendant as prayed for in the Plaint

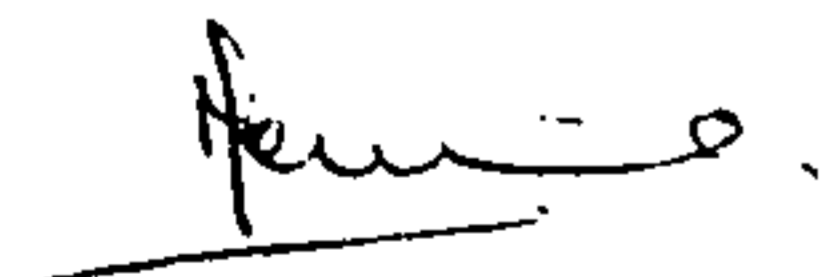
AND WHEREAS the Plaintiff, the Defendant, other necessary parties and the Government of the Democratic Socialist Republic of Sri Lanka have entered into Agreements settling the several issues, including costs, pertaining to this Action, and the Defendant has agreed and undertaken to appoint another firm of Chartered Accountants as Auditors of the Defendant, to have the Annual Accounts of March 1990 finalised and certified in the context of the said Agreements and the subject matter of this Action

AND WHEREFORE, in the circumstances aforesaid, we, the Plaintiff, and the Defendant do hereby jointly and severally move and consent to the dissolution of the said Enjoining Order and the withdrawal and dismissal of this Action

This 22nd day of October 1996



Attorneys-at-Law  
for the Plaintiff



Attorneys-at-Law  
for the Defendant