

**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 the cause of action referred to in the Plaint in this Action had arisen from matters attended to and/or actions taken by the Defendant, inter-alia, in the course of his duties, as Deputy Minister of Finance which said matters and/or actions have been recorded and/or documented and filed of record in certain files maintained by and kept at the Ministry of Finance/Treasury under the supervision and/or control and/or authority of the Defendant, as the Deputy Minister of Finance, and accordingly, the said files are in the possession or power of the Defendant

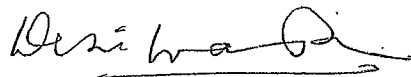
And whereas the documents in the said files directly relate to the matters in question in this Action and are very necessary to effectively dispose of the issues in this Action.

In the above circumstances, we MOVE that the Court be pleased to make an Order under Section 102(1) of the Civil Procedure Code, directing the Defendant abovenamed, to declare by Affidavit all the documents, which are thus in his possession or power, relating to all the matters in question, in this Action.

WE ALSO MOVE that the Court be pleased to direct the Notice of Order (in the Form annexed hereto marked "B") be served on the said Defendant through his Registered Attorneys-at-law.

WE further MOVE that the Court be pleased to call this Case on 6th March 1998, to enable the Plaintiff's Counsel to support this Motion.

Colombo, 5<sup>th</sup> March 1998



Attorneys-at-law for Plaintiff

"B"

NOTICE OF ORDER UNDER SECTION 102 OF THE CIVIL PROCEDURE CODE

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DEFENDANT

To:

The Defendant abovenamed

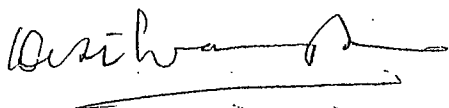
(To be served through his registered Attorneys-at-law M/s Paul Ratnayeke Associates, 59,  
Gregory's Road, Colombo 7.)

TAKE NOTICE that you are hereby ordered to declare by Affidavit within 7 days of service of this Notice all the Documents in files maintained by and kept at the Ministry of Finance/Treasury under your supervision and/or control and/or authority, as the Deputy Minister of Finance, and accordingly, which are in your possession or power, relating to all the matters in question in this Action.

**Registrar**

day of March 1998 at Colombo

Drawn by us:



Attorneys-at-law for Plaintiff