

IN THE DISTRICT COURT OF COLOMBO

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

PLAINTIFF

Case No: 21819/MR

Vs

1. Gamini Lakshman Peiris
of "Visumpaya", Staples Street
Colombo 2, and also of
37 Kirula Place
Colombo 5.
2. Hotel Developers (Lanka) Ltd.
C/o Colombo Hilton Sports Complex
Echelon Square,
Lotus Road
Colombo 1.

DEFENDANTS

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 1st 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 bearing reference No. EA/05/26 maintained by and kept at the Ministry of Finance/Treasury under the supervision and/or control and/or authority of the 1st Defendant, as the Deputy Minister of Finance, and accordingly, the said files are in the possession or power of the 1st 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 1st Defendant abovenamed, to declare by Affidavit all the documents in the files bearing the aforesaid reference number, which are thus in his possession or power, relating to all the matters in question, in this Action.

I ALSO MOVE that the Court be pleased to direct the Notice of Order (in the Form annexed hereto marked "Y") be served on the 1st Defendant through his Registered Attorneys-at-Law,

I further MOVE that the Court be pleased to call this Case on 29th April 1999 to enable the Plaintiff's Counsel to support this Motion.

Colombo 28th April 1999


Attorney-at-Law for Plaintiff

"Y"

NOTICE OF ORDER UNDER SECTION 102 OF THE CIVIL PROCEDURE CODE

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DEFENDANTS

To:

The 1st Defendant abovenamed

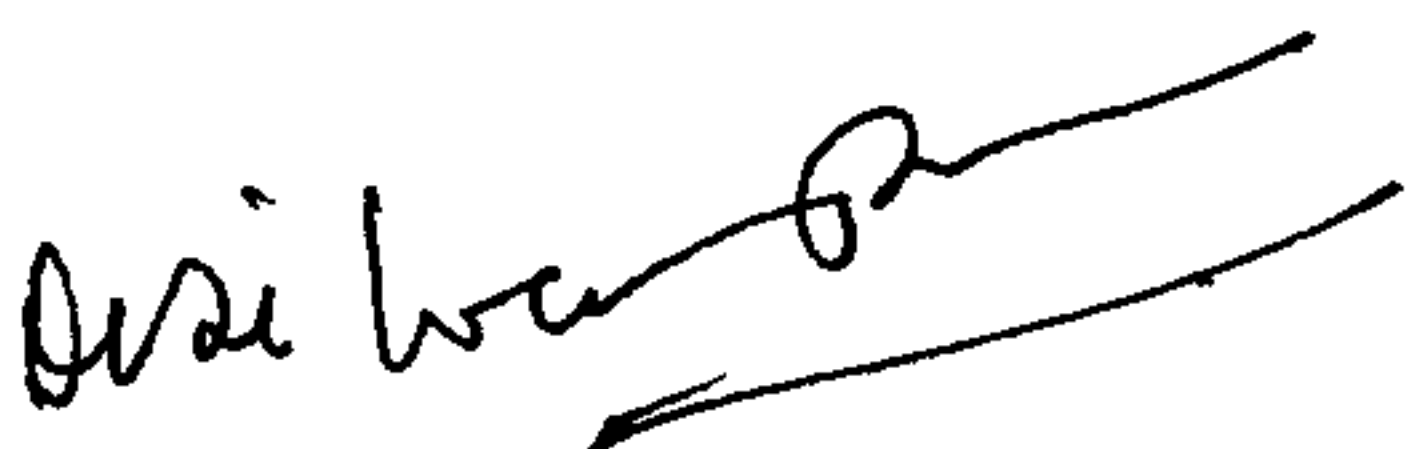
(To be served through his Registered Attorneys-at-Law, M/s Paul Ratnayake Associates, 59, Gregory's Road, Colombo 7.)

TAKE NOTICE that you are hereby ordered to declare by Affidavit within 7 days of service of this Notice all the Documents in files bearing reference No. EA/05/26 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.

day of April 1999 at Colombo

Registrar

Drawn by us:



Attorney-at-Law for Plaintiff