

IN THE DISTRICT COURT OF COLOMBO

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

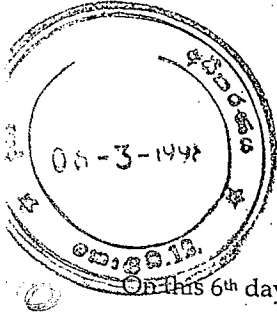
PLAINTIFF

Case No. 19849/MR

Vs.

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

DEFENDANT



On this 6th day of March 1998

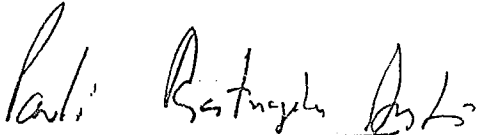
The Statement of Objections of the Defendant above named appearing by James Henry Paul Ratnayeke and Uswatteliyanage Sudath Nilupul Prasansa Perera, Attorneys-at-Law of the Honourable Supreme Court of the Democratic Socialist Republic of Sri Lanka, carrying on business under the name, style and firm of PAUL RATNAYEKE ASSOCIATES and their assistants Ms. Punyakanthi Navaratne, Ms. Shalindri Jayasinghe, Ms. Indralogini Rajagopalan, Ms. Chandrani Suriyaarachchi, Mr. Kolitha Susantha Bandara Wijeratne, Ms. Amali Deepani Alawwa, Ms. Ruchira Anthony and Mr. Prasanna de Silva his Attorneys-at-Law states as follows:

1. The Defendant states that he is advised that in law he is not obliged to answer the purported interrogatories served on him through his registered attorneys-at-law for the reasons set out hereunder.
2. The Defendant states that the said purported interrogatories have not been put bona fide for the purposes set out therein.
3. The Defendant states the said purported interrogatories have been filed mala fide and/or for extraneous purposes. The Defendant files herewith true copies of the newspaper articles appearing in the Sunday Leader of 1/3/1998, Sunday Times of 1/3/1998 and Ravaya newspapers of 1/3/1998 marked "D1", "D2" and "D3" respectively and pleaded as part and parcel hereof.
4. The Defendant further states that the Plaintiff is guilty of laches and/or undue delay in making the said application in that inter alia:
 - a) The action was instituted on or about 21/7/1997.
 - b) Summons were served on the Defendant and the summons returnable date was 31/10/1997.
 - c) The Defendant filed answer on the summons returnable date so that this action could be heard and determined as soon as possible.
 - d) The case was called to be fixed for trial on 17/11/1997.
 - e) The case was called again on 24/11/1997 on which date it was fixed for trial on 16/3/98.
 - f) The said purported interrogatories were filed on 23/2/1998 and was served on the registered attorneys-at-law on 25/2/1998.
 - g) In the least there are 236 interrogatories.

5. The Defendant states that the said purported interrogatories have been filed with a view to avoid the case being taken for trial on 16/3/1998.
6. The Defendant further states that the said purported interrogatories are irrelevant.
7. The Defendant further states that the said questions served on the Defendant do not and cannot be considered interrogatories within the meaning of the Civil Procedure Code and more particularly Chapter 16 thereof.
8. In any event the Defendant states the said purported interrogatories are not material for the purposes of the action.
9. The Defendant states that several of the said purported interrogatories in the circumstances of this case are in law scandalous.
10. The Defendant states that the said purported interrogatories have been delivered unreasonably and/or vexatiously.
11. The Defendant further states that the interrogatories are of improper length.
12. In the circumstances, the Defendant is advised and states that the Defendant is not obliged in law to answer the said purported interrogatories.

WHEREFORE THE DEFENDANT PRAYS

- a) that the Defendant is not obliged in law to answer the said purported interrogatories;
- b) for costs; and
- c) for such further and other reliefs as Your Honour's Court shall seem meet.


REGISTERED ATTORNEYS-AT LAW
FOR THE DEFENDANT

Documents annexed herewith

1. Documents marked "D 1 to "D3".

Settled by;

Harsha Amarasekera, Attorney-at-Law
Romesh de Silva President's Counsel

REGISTERED ATTORNEYS-AT LAW
FOR THE DEFENDANT