

**IN THE COURT OF APPEAL OF THE DEMOCRATIC SOCIALIST
REPUBLIC OF SRI LANKA**

CA (writ): 639/2010

Case No: T.E.U. / A/14/2009

1. S.P.N. Amarasiri
No. 348/10,
Mee Gaha Uana,
Meeghawatta,
Delgoda.

2. K.A. Sisira Kumara
No. 250/ A,
Bolgoda,
Bandaragama.

Applicants

Vs.

1. Trandex Lanka (Pvt) Ltd.
No. 47, Sri Byrdes Place,
Colombo05

Employer-Respondent

2. P.L.S. Lekamge
Inquiring Officer & Labour Officer
Dept. of Labour,
Colombo 05.

3. W.J. L.U. Wijeweera
Commissioner General of Labour,
Dept. of Labour.
Colombo 05.

Respondents

AND NOW

Trandex Lanka (Pvt) Ltd.
No. 47, Sri Byrdes Place,
Colombo 05

Employer-Respondent-Petitioner

Vs.

1. S.P.N. Amarasiri
No. 348/10,
Mee Gaha Uana,
Meeghawatta,
Delgoda.
2. K.A. Sisira Kumara
No. 250/ A,
Bolgoda,
Bandaragama.

Applicants-Respondents.

3. P.L.S. Lekamge
Inquiring Officer & Labour Officer
Dept. of Labour
Colombo05.
4. W.J. L.U. Wijeweera
Commissioner General of Labour,
Dept. of Labour.
Colombo05.
5. V.B.P.K. Weerasingha
Commissioner General of Labour,
Dept. of Labour.
Colombo05.

Respondents-Respondents

C.A. Application No. 639/2010 (Writ)

Before: S. Sriskandarajah, J (P,C/A)

Counsel: Rohan Sahabandu PC with Samantha J. Pieris for the Petitioner.
Nayomi Kahawita SC for the 3rd, 4th and 5th Respondents.

Argued &

Decided on: 01.03.2013

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Sriskandaraiah, J (P,C/A)

The Petitioner in this application seeking to quash the decision contained in document marked P14 directing the petitioner to provide re-employment of the 1st and 2nd respondents. It is brought to the notice of this Court that the Company is now closed and therefore the petitioner is unable to comply with the said direction contained in the document marked P14 dated 21.07.2010. In view of this fact the Commissioner, the 4th respondent is directed to vary the said order by making an order under section 6A of the Termination of Employment (Special Provisions) Act. State Counsel undertakes to communicate this order to the Commissioner General of Labor. In view of this the proceedings of this application is terminated.

President of the Court of Appeal

Kpm/-