

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

CA (PHC) 115/2011

Provincial High Court Case No: HCA 12/06

MC Kurunegala Case No: 41903/L

Yodasinghage Christy Jayananda,
218/5C, 1st Lane,
Pubudu Mawatha,
Colombo Road,
Kurunegala.

Defendant-Petitioner-Appellant

Vs.

Labour Commissioner,
District Labour Office,
Kurunegala.

Plaintiff-1st-Respondent-Respondent

Hon. Attorney-General,
Attorney Generals' Department,
Colombo 12.

2nd Respondent-Respondent

C.A.(PHC) No.115/2011

PHC. Kurunegala No. 30/08

Before: A.W.A. Salam, J &

Sunil Rajapakshe, J

Counsel: Asthika Devendra with Ms. Sonali Jayasuriya for the Defendant-Petitioner-Appellant.

Nayomi Kahawita SC for the 1st and 2nd Applicant-Respondent-Respondent.

Argued &

Decided on: 03.09.2013

Salam, J

The respondents undertake not to proceed with the order of the learned Magistrate if a sum of Rs. 72,640/24 is paid as full and final settlement of all the dues on the certificate filed before the learned Magistrate. Accordingly a cheque bearing No. 344202 drawn on Bank of Ceylon dated 30.08.2013 in favour of the Superintendent, Employee's Provident Fund with the special crossing 'not negotiable' and 'AC payee only' is handed over to the Labour Officer, Ms. Nalinie Rupika Ranawaka (holder of NIC No. 715610434 V).

Subject to the realization of the cheque, the proceedings are now terminated.

In the event of the cheque being dishonoured the Labour Department is entitled to recover the full amount ordered by the learned Magistrate.

Appeal dismissed

JUDGE OF THE COURT OF APPEAL

Sunil Rajapakshe, J

I agree.

JUDGE OF THE COURT OF APPEAL

kpm/-