

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

C.A. (PHC) No.273/2005

P.H.C. Colombo No. 291/2005

Lakmini Leather Products
Nugugoda.

Appellant

-Vs-

Lanka Orix Leasing Company Ltd.
Rajagiriya.

Respondent

C.A. (PHC) No.273-2005 – P.H.C. Colombo No. 291/2005

Before : **K.T. CHITRASIRI, J. &**
MALINIE GUNARATNE,J.

Counsel : Charatha de Silva for the Appellant.
Chanaka Livera for the Respondent

Argued &

Decided on : 04.09.2014.

K.T.Chitrasiri, J.

Learned Counsel for the Respondent submits that this is an appeal filed to challenge a decision made in the High Court in respect of an arbitral award being enforcement. When such a decision is made by the High Court in Colombo, the aggrieved party should obtain leave from the Supreme Court and then proceed with the appeal. This procedure is laid down in section 37 (2) of the Arbitration Act No. 11 of 1995.

The Appellant has failed to follow the procedure referred to in the said Act No. 11 of 1995. Learned Counsel for the Appellant concedes this position. In view of the above provisions of the law,

this Court has no jurisdiction to entertain this appeal. Accordingly, this appeal is dismissed.

Appeal dismissed.

JUDGE OF THE COURT OF APPEAL

W.M.M. Malinie Gunaratne, J.

I agree.

JUDGE OF THE COURT OF APPEAL

/mds