

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

Court of Appeal Case No : CA WRIT/68/2014

Ajith Binal Stembo.
Westmoreland Estate,
Ranjurawa,
Ginigaththena.

Petitioner

Vs.

Hon Attorney General.
Attorney General's Department,
Colombo 12.

Respondents

CA(WRIT) 68/2014

**BEFORE: L.T.B. DEHIDENIYA, J.(P/CA) &
A.L. SHIRAN GOONERATNE, J.**

COUNSEL: J.C. Weliamuna PC with Pulasthi Hawamanna for the
Petitioner.

Ikram Mohamed PC with A.M.Faaiz & Mihiri Abeyratne for the
5th Respondent.

Farzana Jameel PC ASG with H. Opatha for 1st-4th Respondents.

DECIDED ON: 14.12.2017.

L.T.B. DEHIDENIYA, J.(P/CA)

Heard all the Counsel.

The parties come to the following agreements.

The learned President's Counsel for the 5th respondent submits that he has no objection in proceeding with the criminal investigation pending according to law and he further submits that the 5th respondent cannot object to any investigation. The learned State Counsel for the 1st to 4th respondent submits that the petitioner has no locus standi in this application but still the Attorney General has no objection in proceeding the criminal investigations according to law. He further submits that the 5th respondent has not proceeded with the inquiry due to the Stay Order issued by this Court and he submits that once the Stay Order is removed the investigation will be proceeded.

The Learned Counsel for the petitioner submits that he is not in agreement with the submissions that the petitioner has no locus standi but if the criminal investigation is proceeded in accordance with law, he is prepared to terminate the proceedings.

Under these circumstances, terminate the proceedings subject to the said conditions and all the Stay Orders issued in this case are dissolved.

PRESIDENT OF THE COURT OF APPEAL

A.L. SHIRAN GOONERATNE, J.

I agree

JUDGE OF THE COURT OF APPEAL

Mm/-