

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

CA (writ) Application No. 358/2014

S. M. R. K. Gonsal.
308, St. Anthony's Road
Kurukulawa, Ragama.

Petitioner

Vs.

1. Jagath P. Wijeweera
Director General of Customs,
Customs House,
No.40, Main Street,
Colombo 11.

2. Tilak Perera
Deputy Director General of
Customs,
Customs House,
No.40, Main Street,
Colombo 11.

3. K. Dharmasena,
Director of Customs,
Customs House,
No.40, Main Street,
Colombo 11.

4. P. Saman De Siva
Deputy Director of Customs,
Customs House,
No.40, Main Street,
Colombo 11.

5. Sri Lankan Airlines Ltd.
Central Administration Building,
Katunayaka.

6. Hon. The Attorney General,
Attorney General Department,
Colombo 12.

Respondents

1. R. Semasinghe,
Director General of Customs,
(Acting)
Customs House,
No.40, Main Street,
Colombo 11.

2. Chulananda Perera,
Director General of Customs,
Customs House,
No.40, Main Street,
Colombo 11.

Added Respondents

C.A.No.358/2014 (Writ)

Before : Vijith K.Malalgoda,P.C.J.(P/CA) &
P. Padman Surasena,J.

Counsel : G.R.D.Obesekera with Unica Fernando for
the Petitioner.

Vikum de Abrew S.D.S.G. for the 1st to 4th
and 6th Respondents.

Sanjeewa Jayawardena P.C.with R. Amarasaker
for the 5th Respondents.

Argued and
Decided on : 06/09/2016

Vijith K.Malalgoda P.C.J. (P/CA)

This matter is coming up today for the state to inform with regard to the proposed settlement in this matter. Learned Senior Deputy Solicitor General appearing for the 1st - 4th and 6th respondents informs court that he has received written instruction from the Director General of Custom by his letter dated 28/7/2010 to settle this case on the following terms, "the petitioner by his letter dated 23.06.2016 sought to settle this matter and having considered his appeal sympathetically and agreeable to delete the portion

marked P9d (II) of the Inquiry Officer's order which is found in the document marked P9d of the petition provided the petitioner withdraws all cases filed against officers of this department and that he will consider this as a complete settlement In respect of the Customs Case ACT /CASE/26/2008/CCR/770".

In view of the above submissions made by the learned Senior Deputy Solicitor General, Counsel for the Petitioner moves to withdraw this application since the reliefs he had prayed from the 1st to 4th respondents have been granted.

Learned Counsel for the 5th respondent informs Court that he has no instruction which regard to the settlement entered before this Court.

Considering the application made by the counsel for the Petitioner, we dismiss this application .No costs is ordered.

PRESIDENT OF THE COURT OF APPEAL

P.Padman Surasena,J.

I agree.

JUDGE OF THE COURT OF APPEAL

WC/-