

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

**CA (Writ) 03/2017**

Ranpati Dewage Ramani Champika  
Priyagoda, Ganankete,  
Welpalla.

**PETITIONER**

**Vs.**

1. National Savings Bank,  
"Savings House" No. 255, Galle Road,  
Colombo 03.

2. Aswin De Silva, Chairman

3. A. K. Senaviratne, Director

4. Ajith Pathirana, Director

5. Anil Rajakaruna, Director

6. Suranga Naullage, Director

7. D.L.P.R. Abeyaratne, Postmaster General  
(Ex-officio Director)

8. Chandima Hemachandra, Director

2nd to 8th Respondents, All of  
National Savings Bank, "Savings House"  
No. 255, Galle Road, Colombo 03.

9. S.D.N. Perera  
General Manager / Chief Executive Officer

10. Assistant General Manager  
(Human Resources Development)

11. Deputy General Manager  
(Human Resources Development)

9th to 11th Respondents are of  
National Savings Bank, "Savings House"  
No. 255, Galle Road,  
Colombo 03.

**RESPONDENTS**

**C.A Writ 03/2017(Writ)**

**Before** : Vijith K. Malalgoda, P.C. J ( P/CA) &  
S.Thurairaja, P.C. J.

**Counsel** : Sisira Siriwardena with T.G.Gunasekara for the  
Petitioner.

**Argued and**

**Decided on** : 16.01.2017

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

Heard counsel in support of this application.

The petitioner to this application who was the Manager at Kochchikade National Savings Bank had come before this Court against the charge sheet served on her. As submitted by the learned Counsel for the petitioner the charge sheet contained of charges where she had effected a bulk sale of gold jewellery without obtaining the prior approval from the management. The position taken up by the learned counsel was that the petitioner has received the approval after the sale was completed. However going through the documents specially the document which was produced marked P4, we observe that the gold was sold to the bidders at a loss of Rs. 45 million by reducing the interest

and the total amount waived off is Rs. 101 million. When going through the charge sheet which is produced marked P9 we observe that the charges contained in the said charge sheet referred to above, where the petitioner had decided to sold the jewellery and received an advance of Rs. 10 Million before obtaining the permission from the management. In the said circumstances it is our considered view that the said charge sheet was based on the material available with the bank and therefore we see no reason to interfere with the 1<sup>st</sup> respondent's decision to take disciplinary action against the petitioner. We therefore refuse to issue notice on the respondent and the application is dismissed without costs.

**PRESIDENT OF THE COURT OF APPEAL**

**S.Thurairaja,J.**

I agree.

**JUDGE OF THE COURT OF APPEAL**

WC/-