

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

In the matter of an Appeal made in terms of  
Art.154 (P)(6) Read with Art. 138 of the  
Constitution of the Democratic Socialist Republic  
of Sri Lanka.

**Case No: CA (PHC) 105/2014**

**H.C. Chilaw Case No. HCR/05/2014**

**M.C. Chilaw Case No. 24783/C**

01. M.N. Bandula Mohotti,

Assistant Commissioner of Labor,

Chilaw.

02. The Attorney General's Department,

The Attorney General's Department,  
Colombo 12.

**1<sup>st</sup> and 2<sup>nd</sup> Respondents-Appellants**

**Vs.**

02. D.R.S.M.Handalage

Director,

Hunters World (Pvt) Ltd of No:12

Dr.G.L.Peiris Mawatha,

Thudella,Ja-Ela.

**2<sup>nd</sup> Accused Petitioner-Respondent**

**Before:** K.K. Wickremasinghe J.

Janak De Silva J.

**Counsel:**

Maithree Amerasinghe Jayathilake State Counsel for 1<sup>st</sup> and 2<sup>nd</sup> Respondents-Appellants

Anil Silva P.C. with Nandana Perera for 2<sup>nd</sup> Accused-Petitioner-Respondent

**Written Submissions tendered on:**

1<sup>st</sup> and 2<sup>nd</sup> Respondents-Appellants on 11.04.2018

2<sup>nd</sup> Accused-Petitioner-Respondent on 05.03.2018

**Argued on:** 04.05.2018 and 10.12.2018

**Decided on:** 11.12.2018

**Janak De Silva J.**

This is an appeal from an order dated 27.08.2014 made by the learned High Court judge of the North Western Province holden in Chilaw.

The argument in this matter began on 04.05.2018. However, on 10.12.2018 parties informed Court that they will abide by the submissions already made in case no. CA(PHC) 116/2015 and be bound by the judgement to be delivered in that case as the issues in the two cases are the same.

We have today delivered judgment in CA(PHC) 116/2015 allowing the appeal and setting aside the order dated 14.07.2015 made by the learned High Court judge of the North Western Province holden in Chilaw.

Accordingly, for the reasons set out more fully in the said judgment, we allow this appeal and set aside order dated 27.08.2014 made by the learned High Court judge of the North Western Province holden in Chilaw.

Appeal is allowed. No costs.

Judge of the Court of Appeal

**K.K. Wickremasinghe J.**

I agree.

Judge of the Court of Appeal