

CA/CA/184/09 (m)

CUS/Legal/AU/62/05



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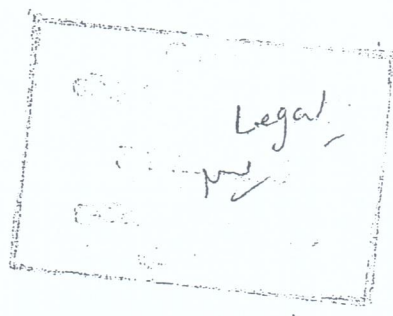
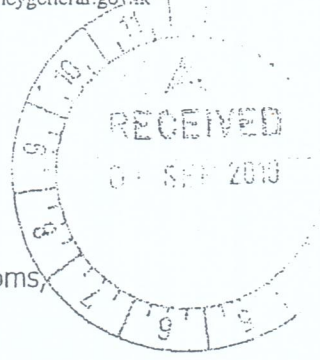
சட்டமர அதிபதி திணைக்களம்
ATTORNEY - GENERAL'S DEPARTMENT

26th August, 2010

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[Signature]
Attorney - at - Law

SUPREME COURT SPECIAL LEAVE TO APPEAL NO.100/2009
C.A. WRIT APPLICATION NO.1413/2005

I refer to your letter of 3rd August, 2010 on the above.

Whilst reiterating the contents of my letter dated 10th May, 2010, I am of the view that the judgement of the Court of Appeal has dealt with the above issue and should be complied with. Any recoveries due should be pursued in terms of section 18A of the Customs Ordinance.

Please be advised that the above Petition of Appeal was filed in the ordinary course as a matter of caution only. I am of the considered view that there is no merit in pursuing this appeal and in the circumstances, the said appeal would be withdrawn.

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[Signature]

Sanjay Rajaratnam
Deputy Solicitor General

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N. Kodituwakku
Attorney-at-Law & Solicitor

Sgd./ Mohan Pieris P.C.
Attorney General

Attorney-at-law

DSG / All DGC (enforcement)

DSG, Rajaratnam appeared before the SC on 30-08-2010 and informed the Hon CJ and other 2 judges of the SC that this application, seeking special leave to appeal from the SC will not be proceeded with and that the DGC has been informed by the AG to comply with the judgment of the CA. Accordingly the SC dismissed the appeal.

DSG(P) was informed on 31-05-2010 to comply with the judgment of the CA in writ application CA 1413/2005 decided on 04-2009, as per advice of the AG communicated to DGC by his letter dated 10-05-2010.

Submitted for your info. pl.

AG & L Enforcement
[Signature]