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The Gazette of the Democratic Socialist Republic of Sri Lanka

අංක 2,226- 2021 අප්‍රේල් මස 30 වැනි සිකුරාදා - 2021.04.30
No. 2,226- FRIDAY, 30 APRIL 2021

(Published by Authority)

PART II — LEGAL

(Separate paging is given to each language of every Part in order that it may be filed separately)

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Note.— Public Health Emergency Bill is published as a supplement to the part II of the Gazette of the Democratic Socialist Republic of Sri Lanka of April 09, 2021

IMPORTANT NOTICE REGARDING ACCEPTANCE OF NOTICES FOR PUBLICATION IN THE WEEKLY “GAZETTE”

ATTENTION is drawn to the Notification appearing in the 1st week of every month, regarding the latest dates and times of acceptance of Notices for publication in the weekly *Gazettes*, at the end of every weekly *Gazette* of Democratic Socialist Republic of Sri Lanka.

All notices to be published in the weekly *Gazettes* shall close at 12.00 noon of each Friday, two weeks before the date of publication. All Government Departments, corporations, Boards, etc. are hereby advised that Notifications fixing closing dates and times of applications in respect of Post-Vacancies, Examinations, Tender Notices and dates and times of Auction Sales, etc. should be prepared by giving adequate time both from the date of despatch of notices to Govt. Press and from the date of publication, thereby enabling those interested in the contents of such notices to actively and positively participate please note that inquiries and complaints made in respect of corrections pertaining to notification will not be entertained after **three months** from the date of publication.

All notices to be published in the weekly *Gazettes* should reach Government Press two weeks before the date of publication *i.e.* Notices for publication in the weekly *Gazette* of 21st May 2021 should reach Government Press on or before 12.00 noon on 07th May 2021.

Electronic Transactions Act, No. 19 of 2006 - Section 9

“Where any Act or Enactment provides that any proclamation, rule, regulation, order, by-law, notification or other matter shall be published in the *Gazette*, then such requirement shall be deemed to have been satisfied if such rule, regulation, order, by-law, notification or other matter is published in an electronic form of the *Gazette*.”

GANGANI LIYANAGE,
Government Printer.

Department of Govt. Printing,
Colombo 08,
1st January 2021

This Gazette can be downloaded from www.documents.gov.lk

Miscellaneous Notices

Notice of Winding up

In the High Court (Civil) of the Western Province (Holden in Colombo) Exercising Commercial Jurisdiction

IN the matter of MAS Capital (Pvt) Ltd,
10th Floor, Aitken Spence Tower,
No.315, Vauxhall Street,
Colombo 02.

Case No : HC (Civil)/21/2021/CO.

Nature : Company (Winding up)

and

In the matter of an application for Winding up by Court under Part XII of the Companies Act, No. 07 of 2007 read with Winding up Rules 1939.

EZY Distribution (Pvt) Ltd,
No.17, Samagi Mawatha, Borupana Road,
Ratmalana.

.....Petitioner.

Notice is hereby given that a Petition for the winding up of the above- named Company by the High Court (Civil) of the Western Province (Holden in Colombo) exercising Commercial Jurisdiction was, on the 4th day of March 2021, presented to the said Court by Ezy Distribution (Pvt) Ltd of No. 17, Samagi Mawatha, Borupana Road, Ratmalana and that the said Petition is directed to be heard before the Court on the 25th day of May 2021; and any creditor or contributory of the said company desirous to support or oppose the making of an order on the said Petition may appear at the time of hearing in person or by his Attorney-at-Law for that purpose, and a copy of the petition will be furnished to any creditor or contributory of the said company requiring the same by the undersigned on payment of the prescribed charge for the same.

Signed: Tharaka Sachindra Jayathilake,
No. 80/4, Sigera Road, Madiwela,
Kotte.

Note :- Any person who intends to appear on the hearing of the said petition must serve on or send by post to the above named Tharaka Sachindra Jayathilake notice in writing of his intention so to do. The notice must state the name and address of the person, or if a firm, the name and address of the firm and must be signed by the person or firm, or his or their Attorney-at-Law (if any) and must be served, or if posted, must be sent by post in sufficient time to reach the above named no later than 06 O'clock in the afternoon of the 24th day of May 2021.

THARAKA SACHINDRA JAYATHILAKE,
No. 80/4, Sigera Road, Madiwela,
Kotte.

PUBLIC (PROPERTY) AUCTION SALE

In the Commercial High Courts

Plaintiff

Hatton National Bank PLC,
(Former known as M/s Hatton
National Bank Limited) and having
its Registered office at No. 479 (former No. 48)
T. B. Jaya Mawatha, Colombo 10 and having Branch office,
At Horana and having its registered office
At Horana.

Vs

Defendants

1. Mahaambalangoda Pathiyanduwa Sunil
2. Podagodage Dona Shriyani
No. 49/D, Pitawala Road, Sawusiri Uyana,
Kumbura, Gonapola,
New Address,
No. 34, Suderis Silva Mawatha, Horana,
and
No. 34/A, Suderis Silva Mawatha, Horana.

Case No. :CHC 0044/2012/MR

IT is hereby given notice that, according to the decree admitted on this 18th day of February, 2016 Defendant above named to the Plaintiff, It is hereby ordered and decreed that; the Defendants above named should pay sum of Rs. 4,561,041.93 above mentioned together with annual interest at the annual rate of 24% based on the said sum from the date of 23rd September, 2011 until the entire/total sum is paid in full to the Plaintiff above named together with Value Added Tax (VAT) based on the aforesaid Mortgage Bonds marked as C, C1 and C2, against the all estates, interests, titles, rights, assignee relations, ownerships and claims for the Defendants above named on behalf of the against the lands and buildings/premises more fully described in the First Schedule hereto together with all rights, interests, privileges, servitudes and affiliates of the said properties or in connected to said properties or each and every part of said properties hereof. This honors court is hereby ordered and decreed that; the Defendants above named should pay the sum of Rs. 4,561,041.93 within two months' period from the date of Decree Statement together with annual interest at the rate of 24% based on the said sum together with other charges from 23rd day of 2011 to the Plaintiff above named, this honors court hereby ordered and decreed that, in the event of Defendants above named default (evade) to settle the said sum of monies, the lands and buildings more fully described in the First Schedule hereto will be sale at the public auction subject to the Right of Way more fully described in the Second - Schedule hereto by an authorized auctioneer ordered and appointed by this honors courts in accordance with the sales conditions ordered by this honors courts. This honors courts hereby ordered and authorized to the said Fiscal/Auctioneer as follows;

This honors courts hereby ordered and decreed that, vested authority to; produced the said land and premises for sale at the appraised value at first; and if there are no bidders to purchase the said property at the said appraised value, produced the said land and premises for sale for the sum of monies to be recovered in terms of the decree statement at the time of commission being issued, and even if there are no bidders to purchase at the said sale, authority to sale to the highest bidder/ bidders hereof. It is hereby ordered and decreed that, in the event of there is order made under and interms of Section 52(1) of the Mortgage Act, to be sale to said land and premises at the appraised value at first; and if the highest bid at the first sale of mortgaged land is less than the amount of the appraised value of the land as fixed under and in terms of Section 51(3) of the Act, the land shall not be sold at first and in such occasion that the second sale of the land shall be held and even if there are no buyers to purchase the said mortgaged land at the appraised value at the said second sale, produced the said land and premises for sale for the sum of monies to be recovered in terms of the decree statement at the time of commission being issued, and even if there are no bidders in such sale, afterwards produced the mortgaged land to be sold to the next highest bidder or bidders in accordance with the Section 50(4) of the Mortgaged Act. It is hereby ordered and decreed that, grant permission to made bids to purchase the said lands and buildings by the Plaintiff or another person on behalf of the Plaintiff; and in the event of Plaintiff to be the Purchaser, Plaintiff shall entitle to credit advantage notes indicating the amounts of Plaintiff's claims and charges hereof. It is hereby ordered and decreed that, Fiscal/ Auctioneer being authorized to execute and sign Transfer or Transfers in due formats as set out by law unto the name of Purchaser/ Purchasers; after the buyer or buyers of the said sale exercised/ acted in accordance with the sales conditions thereof; if the purchaser is the Plaintiff; after submitting a court order which approved the credit advantage note issued in the favour of the Plaintiff and in the event of Purchaser/Purchasers to be third party or parties; after the said parties produced a court order or court orders indicating that, they have duly deposited the purchase price in your honour courts hereof. It is hereby ordered and decreed that, Fiscal to

be authorized to duly handover the clear and vacant possession of the said mortgaged property which sold in the aforesaid manner, unto the purchaser or purchasers who purchased the said mortgaged land. It is hereby ordered and decreed that, proceeds (monies) received from the said sale to be used to settle the claims, interests and charges to be paid and settle to the Plaintiff hereof. It is hereby ordered and decreed not to be continued to execute said authority unless otherwise order made by your honors court, upon the approval of the conditions of sale by this court, which was set out with comply to the said terms, and based on the execution powers issued by this court, the following property, which is more fully described in the under noted schedule will be sold at the public Auction at the spot.

Will be sold the land called 'Kahatagahawatta alias Kahatagahakanaththa' which is containing in extent 13.93 Perches together with buildings and everything else thereon by Public Auction at the spot, on this 22nd day of May, 2021 at 10.00 a.m.

Entrance (Accessibility): -

You will be reached to the Kumbuka Junction towards the Horana- Pokunuwita to Colombo Road and after you travel approximately 200 meters in the Galanigama Road in the left side and travel approximately another 200 meters in the Pitiwala Road in the Right Side and you will be reached to the said property in the right side of the road.

Payment Method/ Plan: -

As soon as the Public Auction coming to an end, purchaser should be paid the following charges to the Auctioneer in cash (cheques will not be accepted).

1. 25% of the Purchase Price (25 per cent)
2. Professional Charges of the Auctioneer 2.5% (2.5 per cent) from the purchase price.
3. All Advertising expenses/ charges
4. Stamp Duty
5. Announcing and Clerk Charges
6. Provincial Council Charges 1% (one per cent)
7. Notary Charges
8. Any other taxes and charges imposed by the Local Authorities
9. Court charges, which comply with Rs. 150/- for the first Rs. 7,500/- and Rs. 5/- for the additional Rs. 1,000/- (post charges), and balance 75% (75 per cent) should be deposited in the account of Partition Case, bearing no. CHC 0044/2012/MR in the Commercial High Court, within the first 30 days, and if the parties fail to do so, initial deposit money should not be refunded and court will again conduct a public auction regarding the said property.

by order of the Court.

Visit for inquiries and search related deeds and other instruments (documents)

AJITH DASANAYAKE,
Court Commissioner/Justice of Peace (Whole Island),
Licensed Auctioneer and Valuer,

Email :- ajith-dasanayake@yahoo.com
Tel : Mob : 072-1802348

B. B. A. (United Kingdom), A.J.C. M. (Sri Lanka)

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