

Notices of Fiscal's Sales FISCAL AUCTION SALE

Civil High Court of the Western Province Holden at Colombo and Exercising Civil (Commercial) Jurisdiction

DFCC Bank PLC,
No. 73/5 Galle Road,
Colombo 03.

Case No: CHC/97/2013 MR.

.....Plaintiff.

Vs.

1. Dynagro (Private) Limited,
No. 549B Isuru Uyana,
off - D. P. Wijesinghe Mawatha, Thalangama South,
Battaramulla.
2. Turbine Ventilation Systems (Private) Limited,
No. 549B Isuru Uyana, Off - D. P. Wijesinghe Mawatha,
Thalangama South, Battaramulla.

.....Defendants.

To the 1st and 2nd Defendants

Decree dated 16th May 2018 delivered by the Commercial High Court Colombo that the above 1st and 2nd Defendants pay to the Plaintiff Bank as prayed in the Plaint of the above case a sum of.

1st Cause of Action

Sri Lankan Rs. 4,037, 265/43 and on the Principal sum of Rs. 3,000,000.00 interest at the rate of 29% per annum from 01st March 2012 until settlement in full.

2nd Cause of Action

Sri Lankan Rs. 4,037, 265/43 and on the Principal sum of Rs. 3,000,000.00 interest at the rate of 29% per annum from 01st March 2012 until settlement in full.

3rd Cause of Action

Sri Lankan Rs. 3,312, 686/15 and on the Principal sum of Rs. 2,449,639.44 interest at the rate of 29% per annum from 01st March 2012 until settlement in full.

4th Cause of Action

Sri Lankan Rs. 4,037, 265/43 and on the Principal sum of Rs. 3,000,000.00 interest at the rate of 29% per annum from 01st March 2012 until settlement in full.

5th Cause of Action

Sri Lankan Rs. 4,037, 265/43 and on the Principal sum of Rs. 3,000,000.00 interest at the rate of 29% per annum from 01st March 2012 until settlement in full.

Since the defendants has failed and neglected to settle the amounts mentioned in the Decree to the Plaintiff, Colombo Commercial High Court issued to me with the Order to Sell of the above case for the recovery of the said amounts due to the plaintiff as Decreed and Ordered.

I Shall sell by Public Auction The Property Described in the Schedule Hereto Situated At Thalangama South Village within the Battaramulla - Thalangama Sub office area of Kaduwela Pradeshiya Sabha Limits in Palle Pattuwe Hewagam Korale in the District of Colombo Western Province.

On 29th December 2021 at 1.00 p.m. at the spot.

The Highest bidder will be declared as the purchaser will have to pay the following amounts in cash at the end of the sale.

25% of the Purchased Price, Valuation charges 0.5%, Govt. *Gazette* publication expenses, Newspaper publication expenses, Other expenses incurred on advertising, 01% of the purchased price to Local Authority Government Poundage Charges 25% of the purchased price to be paid to Me (Actioneer) in cash soon after the sale. (Cheques will not be accepted). Balance 75% to be deposited within 30 days with Colombo Commercial High Court to be credited to the above mentioned case.

SCHEDULE ABOVE REFERRED TO

All that divided and defined allotment of land marked as Lot 1 in Plan No. 3440 dated 20.01.1989 made by I A C Senaratne Licensed Surveyor (Resurvey and sub division of Lot 13 depicted in plan No. 3625 dated 20.08.1967 made by V A L Senaratne Licensed Surveyor and Leveller) of the land called and known as Assessment No. 549/B (Isuru Uyana) Millagahawataowita or Alubogahalanda situated at Thalangama South within the Battaramulla - Thalangama unit area of Kaduwela Pradeshiya Sabha in Palle Patthuwe Hewagam Korale in the District of Colombo Western Province and which said Lot 01 is bounded on the North by Lot C in plan No. 232 dated 11.02.1918 made by M B De Silva Licensed Surveyor on the East by Premises bearing Assessment No. 253/36 Isuru Uyana on the South, by Isuru Uyana and on the West by Lot 14 depicted in Plan No. 3625 aforesaid together with the soil buildings trees plantations and everything else standing thereon in Extent Nineteen decimal Eight Seven Perches (0A - 0R- 19.87P) according to the aforesaid Plan No. 3440. And Registered at the Homagama Land Registry under title P 1171/244.

All that allotment of land marked as R1 reservation for 20ft. wide road depicted in Plan No. 3625 dated 20th August 1967 made by V A L Senaratne Licensed Surveyor out of the land called Millagahawattaowita *alias* Alubogahalanda situated at Thalangama aforesaid which said 20ft wide reservation is as whole of Isuru Uyana Road and bounded on the North by; Lots 1, 6R 2, 7, 8, 11R 4, 12, 17; East by Road; South by Lots 18 to 23, 24, R3, 27, 28, 30 and 31 on the West by Lot B and containing in extent according to the said Plan No. 3625 One Rood Twenty Perches (0A- 01R- 20P). And registered at the Homagama Land Registry under title G 1178/191.

The full and free right liberty and licence of ingress egress and regress way and passage in perpetuity for the Mortgagor his visitors engineers contractors architects workmen servants tenants licensees and invitees, at all times hereafter at their will and pleasure for all purposes whatsoever by day or by night to go return pass and repass on foot or otherwise howsoever and with or without horses cattle or other animals motor cars, motor lorries and other vehicles of every kind laden or unladen in or along or over the roadway hereunder particularly described together with full and singular the rights ways advantages and appurtenances, or usually held used or enjoyed therewith and also the full and free right and liberty to lay electric cables and overhead wires and drainage gas and water pipes and appliances and other contrivances of whatsoever kind on in over and or along.

All that road called Isuru Uyana Twenty Feet wide (marked Lot R1 and depicted in the said plan No. 3625 dated 20th August 1967 made by V A L Senaratna, Licensed Surveyor and Leveller as reservation for road Twenty Feet wide) of the said land called Millagahawattaowita or Alubogahalanda situated at Thalangama aforesaid and bounded on the North by lots 1, 6, R2, 7, 8, 11, R4, 12 - 17; on the East by Road; on the South by Lots 18 to 23, 24, R3, 27, 28, 30 and on the West by Lot B and containing in extent One Rood Twenty Perches (0A. 1R. 20P) according to the said Plan No. 3625 and registered under G 1178/ 191 at the Land Registry Homagama.

(The Property Bears Assessment No. 549/B Isuru Uyana D P Wijesinghe Mawatha Thalangama South Battaramulla).

R. K. GAMINI WEERASIRI,
Registrar Deputy Fiscal,
Commercial High Court (Civil),
Colombo 12.

on this 16 day of November 2021.

12-09

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, Gonapala
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 morefully 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 in terms 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 **23rd day of December, 2021 at 2.00 p.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 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 percent) ;
2. Professional Charges of the Auctioneer 2.5% (2.5 percent) from the purchase price ;
3. All Advertising expenses /charges ;
4. Stamp Duty ;
5. Announcing and Clerk Charges ;
6. Provincial Council Charges 1% (one percent)
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 percent) 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,

AJITH DASANAYAKE,
Court Commissioner/Justice of Peace (All Island),
Licensed Auctioneer and Valuer,
B.B.A. (United Kingdom), A.I.C.M. (Sri Lanka).

E-mail : ajith.dasanayake@yahoo.com
Tel : Mob - 0721802348.

**NEW SCALES OF CHARGES FOR NOTICES AND ADVERTISEMENTS IN THE
“GAZETTE OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA”
EFFECTIVE AS FROM JANUARY 01st, 2013**

**All the Gazettes could be downloaded from the www.documents.gov.lk
(Issued every Friday)**

1. All Notices and Advertisements are published at the risk of the Advertisers.
2. All Notices and Advertisements by Private Advertisers may be handed in or sent directly by post together with full payments to the **Government Printer, Department of Government Printing, Colombo 8.**
3. The office hours are from 8.30 a.m. to 4.15 p.m.
4. Cash transactions will be from 9.00 a.m. to 3.00 p.m.
5. **All Notices and Advertisements must be pre-paid.** Notices and Advertisements sent directly by post should be accompanied by Money Order, Postal Order or Cheque made payable to the Government Printer. Postage stamps will not be accepted in payment of Advertisements. Post Office - Borella will be the paying office for Money Orders.
6. To avoid errors and delay “copy” should be **on one side of the paper only and typewritten.**
7. **All signatures should be repeated in block letters below the written signature.**
8. Notices re-change of name from Non-Government Servants and Trade Advertisements are not accepted for publication.
9. Advertisements purporting to be issued under Orders of Courts will not be inserted unless signed or attested by a Proctor of the Supreme Court.
10. **The authorised scale of charges for Notices and Advertisements is as follows from January 01st, 2013 :-**

<i>Rs.</i>	<i>cts.</i>
One inch or less	137 0
Every addition inch or fraction thereof	137 0
One column or 1/2 page of <i>Gazette</i>	1,300 0
Two columns or one page of <i>Gazette</i>	2,600 0

(All fractions of an inch will be charged for at the full inch rate.)

11. The “**Gazette of the Democratic Socialist Republic of Sri Lanka**” is published every Friday. Day of publication is subject to alteration in any week where Public Holidays intervene.
12. All Notices and Advertisements should reach the **Government Printer, Department of Government Printing, Colombo 8**, as shown in Schedule of Separate Notice published at the end of each part of the *Gazette* of the first week of every month.
13. All communications regarding non-receipt, change of address and of the *Gazette* of the Democratic Socialist Republic of Sri Lanka should be addressed to the Government Printer, Department of Government Printing, Colombo 08.
14. **REVISED SUBSCRIPTION RATES EFFECTIVE FROM JANUARY 1ST 2013 :**

***Annual Subscription Rates and Postage**

	Price <i>Rs. cts.</i>	Postage <i>Rs. cts.</i>
Part I :		
Section I	4,160 0	9,340 0
Section II (Advertising, Vacancies, Tenders, Examinations, etc.)	950 0	
Section III (Patent & Trade Mark Notices etc.)	405 0	750 0
Part I (Whole of 3 Sections together)	890 0	2,500 0
Part II (Judicial)	860 0	450 0
Part III (Lands)	260 0	275 0
Part IV (Notices of Provincial Councils and Local Government)	2,080 0	4,360 0
Part V (Stage carriage permits and Book List)	1,300 0	3,640 0
Part VI (List of Jurors and Assessors)	780 0	1,250 0
Extraordinary Gazette	5,145 0	5,520 0

Subscription to the “Gazette of the Democratic Socialist Republic of Sri Lanka” are booked per periods of not less than 12 months so as to terminate at the end of a calendar year only.

*** Rates for Single Copies (if available in stock)**

	Price <i>Rs. cts.</i>	Postage <i>Rs. cts.</i>
Part I :		
Section I	40 0	60 0
Section II	25 0	60 0
Section III	15 0	60 0
Part I(Whole of 3 Sections together)	80 0	120 0
Part II	12 0	60 0
Part III	12 0	60 0
Part IV (Notices of Provincial Councils and Local Government)	23 0	60 0
Part V	123 0	60 0
Part VI	87 0	60 0

***All single copies could be obtained from Government Publications Bureau, No. 163, Kirulapone Mawatha, Polhengoda, Colombo 05.**

IMPORTANT NOTICE REGARDING PUBLICATION OF GAZETTE

THE Weekly issue of the *Gazette of the Democratic Socialist Republic of Sri Lanka* is normally published on Fridays. If a Friday happens to be a Public Holiday the *Gazette* is published on the working day immediately preceding the Friday. Thus the last date specified for the receipt of notices for publication in the *Gazette* also varies depending on the incidence of public holidays in the week concerned.

The Schedule below shows the date of publication and the latest time by which notices should be received for publication in the respective weekly *Gazette*. All notices received out of times specified below will not be published. Such notices will be returned to the sender by post for necessary amendment and return if publication is desired in a subsequent issue of the *Gazette*. It will be in the interest of all concerned if those desirous of ensuring the timely publication of notices in the *Gazette* make it a point to see that sufficient time is allowed for postal transmission of notices to the Government Press.

The Government Printer accept payments of subscription for the Government Gazette.

Note.—Payments for inserting Notices in the *Gazette of the Democratic Socialist Republic of Sri Lanka* will be received by the Government Printer.

THE SCHEDULE

<i>Month</i>	<i>Date of Publication</i>			<i>Last Date and Time of Acceptance of Notices for Publication in the Gazette</i>		
	2021					
DECEMBER	03.12.2021	Friday	—	19.11.2021	Friday	12 noon
	10.12.2021	Friday	—	26.11.2021	Friday	12 noon
	17.12.2021	Friday	—	03.12.2021	Friday	12 noon
	24.12.2021	Friday	—	10.12.2021	Friday	12 noon
	31.12.2021	Friday	—	17.12.2021	Friday	12 noon
	2022					
JANUARY	07.01.2022	Friday	—	24.12.2021	Friday	12 noon
	13.01.2022	Thursday	—	31.12.2021	Friday	12 noon
	21.01.2022	Friday	—	07.01.2022	Friday	12 noon
	28.01.2022	Friday	—	13.01.2022	Thursday	12 noon
FEBRUARY	03.02.2022	Thursday	—	21.01.2022	Friday	12 noon
	11.02.2022	Friday	—	28.01.2022	Friday	12 noon
	18.02.2022	Friday	—	03.02.2022	Thursday	12 noon
	25.02.2022	Friday	—	11.02.2022	Friday	12 noon

GANGANI LIYANAGE,
Government Printer.

Department of Government Printing,
Colombo 08,
01st January, 2021.