



ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ගැසට් පත්‍රය
අති විශේෂ

The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

අංක 1818/17 - 2013 ජූලි මස 10 වැනි බදාදා - 2013.07.10
No. 1818/17 - WEDNESDAY, JULY 10, 2013

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

My No. : IR/10/32/2010.

Ref No. : IR/10/32/2010.

THE INDUSTRIAL DISPUTES ACT (CHAPTER 131)

IN THE MATTER OF INDUSTRIAL DISPUTE

THE award transmitted to me by the Arbitrator to whom the Industrial Dispute which has arisen between Mr. Shirley de Silva, No. 21/4, Luwis Senarathne Place, Upananda Mawatha, Attidiya, Dehiwala of the one part and Dinagro (Pvt.) Ltd., No. 549B, Isuru Uyana, Talangama South, Battaramulla of the other part was referred by order dated 10.11.2010 made under Section 4(1) of the Industrial Disputed Act, Chapter 131 (as amended) for settlement by Arbitration is hereby published in terms of Section 18(1) of the said Act.

M. D. CHANDANI AMARATHUNGA,
Commissioner of Labour.

Department of Labour,
Labour Secretariat,
Colombo 05,
21st June, 2013.

Case No. A 3397

Between

Mr. Shirley de Silva,
No. 21/4, Luwis Senarathne Place,
Upananda Mawatha, Attidiya,
Dehiwala

..... of the one part

and

Dinagro (Pvt.) Ltd.
No. 549B, Isuru Uyana,
Talangama South,
Battaramulla

..... of the other part

AWARD

01. The Honourable Minister of Labour and Labour Relations by virtue of the powers vested in him under Section



4(1) of the Industrial Disputes Act, Chapter 131 of the Legislative Enactments of Ceylon (1956 Revised Edition) as amended by Acts No. 14 of 1957, 4 of 1962 and 39 of 1968 read with Industrial Disputes (Special Provisions) Act, No. 37 of 1968 appointed me as the Arbitrator by his order dated 18th July, 2011 and referred the dispute between the aforesaid parties for settlement by Arbitration.

2. The matter is dispute between the aforesaid parties is :

“Whether the termination of Mr. Shirely de Silva who served as the Finance Controller of the above Company is reasonable and whether the non-payment of the Fuel Allowance, Vehicle Allowance and Leave Allowance is justified and if so, to what relief he is entitled.”

3. Mr. Daya Senarathna appeared for the Applicant while Mr. S. A. S. Samarathunga, Attorney-at-Law appeared for the Respondant Employer.

4. On the first day of the inquiry, parties indicated that the Department of Labour had instituted action, for the recovery of earned wages, through Magistrate Courts, Kaduwala.

Concerning the other issued, which are before the arbitrator, Respondents indicated eagerness to resolve matters amicably. Pending a final resolve, the Applicant was requested to file a sworn affidavit, placing vital evidence, for Respondents to commence cross-examination.

Although inquires were fixed for 09.04.2012 and 18.10.2012, Applicant or his Representaive failed to turn-up, but the Respondent Employer was present. Registrar was requested to inform the applicant, if he was further interested in proceeding with the case and if so, to indicate so within 14 days. But had no response so far.

5. I therefore make Award that the Applicant is no longer interested in proceeding with the matter in dispute.

P. NAVARATNE,
Arbitrator.

24th April, 2013.

07-756