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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2293/10 - 2022 අගෝස්තු මස 15 වැනි සඳුදා - 2022.08.15

No. 2293/10 - MONDAY, AUGUST 15, 2022

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

MY No: IR/15/06/2012

THE INDUSTRIAL DISPUTES ACT CHAPTER 131

THE, award dated 06.06.2022 transmitted to me by the Arbitrator to whom the Industrial Dispute which has arisen between Mr. Senaka Maithri De Livera, No. 639/6, Gunawardhana Mawatha, Pitakotte, Kotte of the one part and 1. Mr. Nimal Priyarathna (President) 2. Mr. Avancka Herath (Captain) 3. Mr. Nalin Jayathilake (General Manager) 4. Mr. W. A. K. Fernando (Vice Captain) 5. Mr. Naveen De Silva (Infrastructure and Club House Development (Secretary) 6. Mr. Sanjeewa Wickramanayake (Ground Secretary) 7. Mr. Suren Madanayake (F and B Secretary) 8. Mr. Saneth Gamage (Treasurer) 9. Mr. Wasantha De Silva (Marcom Secretary) of Royal Colombo Golf Club, No. 223, Model Farm Road, Colombo 08 of the other part was referred for settlement through arbitration by order dated 07.10.2019 made under section 4(1) of the Industrial Dispute Act, chapter 131, (as amended) and published in Gazette Extraordinary No. 2144/61 dated 11.10.2019 of the Democratic Socialist Republic of Sri Lanka, is hereby published in terms of Section 18(1) of the said Act.

B. K. PRABATH CHANDRAKEERTHI,
Commissioner General of Labour.

Department of Labour,
Colombo 05.
25th July, 2022.



In the matter of Industrial Dispute

Between

Mr. Senaka Maithri De Livera,
No. 639/6, Gunawardene Mawatha,
Pitakotte,
Kotte.

of the one part

And

Case No: A/104/2019

1. Mr. Nimal Piyyaratne - President
2. Mr. Avancka Herath - Captain
3. Mr. Nalin Jayathileke - General Manager
4. Mr. W. A. K. Fernando - Vice Captain
5. Mr. Naveen De Silva - Infrastructure and
Club House
Development Secretary
6. Mr. Sanjeewa Wickramanayake - Ground Secretary
7. Mr. Suren Madanayake - F & B. Secretary
8. Mr. Saneth Gamage - Treasurer
9. Mr. Wasantha De Silva - Macrom Secretary

Of Royal Colombo Golf Club.
223, Model Farm Road,
Colombo 08.

of the other part

Award

1. The Honorable Minister of Labour and Trade Union Relations by virtue of the powers vested in him by Section 4 (1) of the Industrial Disputes Act, Chapter 131 of the Legislative Enactments of Ceylon (1956 revised edition) as amended by Acts Nos. 14 of 1957, 62 of 1957, 4 of 1962 and 39 of 1968 read with industrial Disputes (Special Provisions) Act No. 37 of 1968 appointed me by his order dated 07th October, 2019 and referred the dispute between the aforesaid parties to me for settlement by arbitration.
2. The matter in dispute between the aforesaid parties is -

“Whether Injustice had been caused to Mr. Senaka Maithri De Livera who was employed as Senior Manager (Food and Beverages) of the Royal Colombo Golf Club situated at No. 223, Model Farm Road, Colombo 08, by the non - payment of the bonus paid to other employees from 2008 and non - payment of the salary increase given to other employees from January, 2009, and if so, to what relief he is entitled.”
3. Our behalf of the applicant, Mrs. Sachintha Gunaratne, Attorney-at-law, followed by Mrs. Biyanka Anandappa, AAL, Mrs. Shalini Fernando AAL, and Mr. R. D. De. Silva, AAL, appeared on different dates. Whereas on behalf on the respondents, Messers Anurudda Perera, Shehan Liyanage, Thenura Samarasuriya and Nuwan Premadasa all Attorneys at Law appeared on different dates.

4. On 24th May, 2022, When the case was taken up for hearing, the applicant, indicated that he wishes to withdraw the application made against the respondents. He was required to make a written submission, and he tendered a written plea, on that behalf in open court. His plea was accepted, which states that has no further claims.

I therefore make this award, accepting his request.

P. NAVARATNE,
Arbitrator.

06th June, 2022.

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