

**ADDRESS BY JUSTICE PRASANTHA DE SILVA AT THE CEREMONIAL
SITTING OF THE COURT OF APPEAL HELD ON 23RD MARCH 2021.**

The Hon Attorney General Mr. Dappula De Livera P.C, The President of the Bar Association of Sri Lanka, Mr. Kalinga Indatissa P.C,

First of all let me offer my sincere thanks to the Hon Attorney General and the President of the Bar Association for the kind sentiments expressed about me. I am humbled and privileged to receive your warm welcome in this August assembly.

I began my legal career in 1989 and started Court work with legal aid cases assigned by the Legal aid Commission. In this instance, I remember with sincere gratitude, the support and courage given by the then Chairman of the Legal Aid Commission, Retired High Court Judge Mr. Vincent Swarnadhipathi.

During this period when I practiced as a Junior Lawyer, I had the opportunity to work with numerous Senior Lawyers and I thank them with gratitude for their courtesy and cooperation extended towards me.

I embarked upon my Judicial journey in 1995 under his Lordship the Chief Justice Hon G.P.S De Silva. My Lord, I thank you for appointing me as a Judge of the Sri Lankan Judiciary. A special word of thanks must be mentioned to late Mr. N R M Daluwatte P.C. and Mr. Nihal Jayamanne P.C. for recommending me to the Judiciary.

We had the privilege and the happy destiny to have come under the benign influence of Justice Soza to get trained as Judges at the Sri Lanka Judges Institute. By getting trained under him, not only we learnt how to deal with the intricacies of Law but also the finer points of gentlemanliness.

I had the privilege of serving under numerous Chief Justices. I would like to extend my sincere gratitude for the opportunities that I was given by them in the last 26 years.

His Lordship the Chief Justice Hon Sarath N. Silva, awarded me a scholarship to read for a Master's Degree in Commercial Law at the University of Aberdeen, Scotland. This was indeed useful for me to contribute legal literature on Condominium Law to the Sri Lankan Law.

His Lordship the Chief Justice Hon Asoka De Silva appointed me as the Secretary of the Judicial Service Commission.

I am happy to mention that His Lordship allowed me to revive the Judges Journal, a publication of the Sri Lanka Judges Institute after 19 years, first edited by His Lordship the founder Director of the Judges Institute, Justice Anthony Soza which I consider as a great privilege of the highest order.

Thereafter, His Lordship the Chief Justice Hon Mohan Peiris P.C., appointed me as the Editor of the Judges Journal Vol III and His Lordship the Chief Justice Hon Priyasad Dep P.C entrusted me to continue the compilation of the Judges Journal Vol IV and Vol V. Your Lordships kind consideration is much appreciated.

I am also happy to note that His Lordship Priyasad Dep P.C, appointed me as the Deputy Director of the Sri Lanka Judges Institute in the year 2018. This recognition that I obtained is one which I highly value.

During the tenure of His Lordship the Chief Justice Hon Nalin Perera, I had the privilege and honour to dispense Justice as the Judge of the Commercial High Court 1st division with the cooperation of the eminent members of the Bar. I consider it another rare opportunity that I achieved in my Judicial career.

An American Jurist Roscoe Pound once said, “we are trying the record not the case”. I agree with this statement, we too try the records and not the cases when it comes to the Technical objections, which causes laws delays.

In my short spell in the Court of Appeal, I came across a situation where applications are being made for postponements of arguments by the Junior Counsel, on the ground that the Senior Counsel is held up in the Supreme Court or in the President’s Court in the Court of Appeal.

I wish to make a kind request with the permission of the President of the Court of Appeal, the eminent Senior Counsel, please do allow your retained Juniors to argue cases in the Court of Appeal to prevent Laws Delays.

It is unfortunate to note that in my Judicial Journey, there were instances where the Judges had to face embarrassing and unpleasant situations that attempted to tarnish our images through social media and other means and be victimized with the motive of damaging our credibility to jeopardize the professional prospects of our careers.

In this respect, the Hon Attorney General and the Bar association should intervene and take necessary precautions to safeguard our rights.

At this juncture, I remember my late parents with love and gratitude as well as my family members for their undying support. I especially thank my sister and brother-in-law with sincere appreciation for being a pillar of strength to my life.

I thank my wife and three daughters, for the encouragement and strength they provided throughout the years.

My heartiest gratitude is extended towards my late father-in law, mother-in-law and all my in Laws for their kind thoughts and motivation.

As an alumnus of Ananda College, the exposure I received in school particularly in terms of the administrative aspects and discipline which I have incorporated into

my work is a direct influence of the then Principal, late Col G.W.E Rajapakse who I recall with greater sense of respect.

On this momentous occasion I will be failing in my duty if I do not mention with sincere appreciation, these three individuals for their unstinted guidance, support and motivation extended to achieve my endeavours. I thank my guru the late Mr. Mettananda, Aunty Nancy & Uncle Loyd.

Last but not least, I thank my friends, for being my strongest motivators and for believing in me since the very beginning.

I thank all of you, for gracing this memorable occasion today. May the blessings of the noble triple gem protect all of you. My wish is that we will be able to live in a virus free society soon!

Theruwana Saranai.

Prasantha De Silva
Judge of the Court of Appeal
23.03.2021