

1970

Present: H. N. G. Fernando, C.J.

**TIMES OF CEYLON LTD., Appellant, and
N. EDIRMANASINGHE, Respondent**

S. C. 63/69—Labour Tribunal, 1/16809

Industrial Disputes Act (Cap. 131)—Section 31 (D)—Appeal thereunder—Time limit for filing it—Sundays can no longer be excluded—Holidays Act No. 17 of 1965, s. 2.

In view of section 2 of the Holidays Act No. 17 of 1965, Sundays can no longer be excluded in computing the period of 14 days within which an appeal under section 31 (D) of the Industrial Disputes Act has to be filed.

APPEAL from an order of a Labour Tribunal.

L. A. T. Williams, with Nihal Perera, for the employer-appellant.

N. Satyendra, with R. L. Jayasuriya, for the applicant-respondent.

February 11, 1970. H. N. G. FERNANDO, C.J.—

Counsel for the appellant concedes that if Sundays are not excluded in computing the period of 14 days within which an appeal under Section 31 (D) of the Industrial Disputes Act has to be filed, his present appeal is out of time. Counsel invited me in this connection to re-consider a decision of Samerawickrame, J. in the case of *Jayawardhena v. Thiruchelvam*¹. I see no reason to re-consider that decision as I am in entire agreement with the opinion that Section 2 of the Holidays Act No. 17 of 1965 had the effect that in provisions like in Section 31 (D) Sundays are no longer to be excluded in the computation of the period referred to in such provisions.

The appeal is rejected with costs fixed at Rs. 105.

Appeal rejected.

¹ (1968) 71 N. L. R. 134.