



Colombo Hilton Hotel Construction Fraud on Sri Lanka Government: Sri Lanka's First Derivative Action in Law

Nihal Sri Ameresekere

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‘Colombo Hilton Hotel Construction’ – **‘Fraud on Sri Lanka Government’** – **‘Sri Lanka’s First Derivative Action in Law’**, startlingly unravels the major fraud on the Government of Sri Lanka by reputed multi-nationals, colluding with socio-politically influential, endeavouring to fraudulently *‘siphon out a large scale of foreign exchange on government guarantees’*, , which was successfully prevented through injunctions affirmed by the Supreme Court of Sri Lanka.

‘On sovereign guarantees of the Government of Sri Lanka, the Colombo Hilton Hotel was to be constructed, equipped and furnished, on a ‘turnkey fixed price basis’ by a Japanese consortium comprising Mitsui & Co. Ltd., and Taisei Corporation, supervised and designed by Kanko Kikaku Sekkeisha Yozo Shibata & Associates, with technical assistance in planning and construction from Hilton International, United States of America, who were to operate and manage the Hotel. During construction a staged fire allegedly destroyed all plans and documents, and surreptitiously the original plans substituted, and the hotel constructed with two floors short and without the basements contrary to the original plans, based upon which Sri Lanka Government guarantees had been obtained.

‘The book essentially reveals the process of litigation by one minority shareholder, single-handedly combating socio-politically powerful influential fraudulent miscreants; lucidly narratively setting out pleadings, counter-affidavits, further pleadings, interrogatories, pre-trial processes, objections, written submissions, District and Appeal Court orders, and the landmark historic judgment by the Supreme Court of Sri Lanka, demonstrating its independence in pronouncing – *‘in the given circumstances the Government could not be indifferent’*, – resulting in the Japanese multi-nationals writing-off a colossal sum of US \$ 207 million in 1995.

‘This is an invaluable and indispensable research book for both academics and professionals of law, particularly on the rights of minority shareholders in corporates, and for those interested in the combat of fraud and corruption at the highest levels in a country.

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Susan Douglas:

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