

**IN THE COURT OF APPEAL, FIJI**  
**[On Appeal from the High Court]**

**CIVIL APPEAL NO. ABU 073 of 2023**  
**[In the Suva Employment Court ERCC No. 08 of 2015]**

**BETWEEN** : **FIJI PUBLIC SERVICE ASSOCIATION**

**Appellant**

**AND** : **DAMODARAN NAIR**

**Respondent**

**Coram** : **Prematilaka, RJA**

**Counsel** : **Ms. M. Rakai for the Appellant**  
**Mr. D. Nair for the Respondent**

**Date of filing of** : **14 October 2025**  
**Terms of**  
**Settlement & Notice**  
**of Discontinuance**

**Date of Ruling** : **21 October 2025**

**RULING IN CHAMBERS**

[1] This appeal is listed for hearing before the Full Court on 12 November 2025.

[2] In the meantime, Terms of Settlement signed by respective solicitors and parties on 02 October 2025 and Notice of Discontinuance of even date by the appellant's solicitors have been filed on 14 October 2025. According to the Terms of Settlement, parties have fully settled the dispute between them on the terms therein.

[3] Thus, both parties have agreed to be bound by the Terms of Settlement and the appellant moves to discontinue the entire action including the appeal with no costs.

**Orders of the Court:**


[1] *The application by the appellant to discontinue the appeal is allowed.*

[2] *Appeal is accordingly dismissed in terms of section 20(1)(h) of the Court of Appeal Act.*

[3] *Court of Appeal Registry is directed to remove this appeal from the Calendar for November- 2025 Session of the Full Court of the Court of Appeal.*

[4] *No costs.*



  
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**Hon. Mr Justice C. Prematilaka**  
**RESIDENT JUSTICE OF APPEAL**

**Solicitors:**

Sherani Solicitors for the Appellant  
Nilesh Sharma Lawyers for the Respondent