

Asela Wijeyaratne

Call Date: 2008



Asela advises and acts in a broad range of civil and commercial matters with a particular focus on the areas listed below.

Legal Services

Commercial and Business Law

Asela's practice covers all areas of commercial and business law, with a particular focus on cases arising out of underlying property disputes and transactions.

He has acted in cases concerning commercial contractual disputes, debt and asset recovery, agency claims and claims involving breach of fiduciary duties (particularly in relation to company directors). Asela recently acted for the Respondent in *Eason v Wong (re Alpha Student)* [2017] EWHC 209 (Ch), a leading case on equitable purchasers' liens.

Property

Asela practice encompasses a wide range of property law, including both residential and commercial landlord and tenant and real property.

In landlord and tenant matters, Asela also advises and acts in possession and forfeiture claims, including advising on the entitlement to possession, drafting notices and pleadings and providing representation at hearings. He also has considerable experience in claims arising out of disrepair and dilapidation. Asela recently acted for the Respondents in the Court of Appeal in *Barrow v Kazim* [2018] EWCA Civ 2414 which considered the definition of "landlord" under the Housing Act 1988.

Asela routinely appears in the Property Chamber of the First-Tier Tribunal in service charge, right to manage and land registration disputes and advises landlords and tenants on the bringing and defending of applications and on enforcement.

In real property matters, Asela has experience in claims involving easements and covenants, nuisance and trespass, boundary disputes and adverse possession. He has also been instructed in disputed party wall matters and neighbour disputes.

Notable Property cases

[Barrow v Kazim \[2018\] EWCA Civ 2414](#)

Acted for the Respondents in the Court of Appeal in a leading case considering the definition of "landlord" under the Housing Act 1988.

Public Inquiries and Inquests

Asela is currently instructed on behalf of bereaved families in the [Grenfell Tower Inquiry](#).

Asela is also currently instructed (with [Rupert Butler](#)) by the estate of the late Lord Janner of Braunstone QC in The Independent Inquiry into Child Sexual Abuse.

Asela recently represented a bereaved family in the inquests arising from the terrorist attack in Sousse, Tunisia in June 2015. He has particular expertise and experience in inquests arising out of fatal overseas accidents and incidents.

Notable Public Inquiries and Inquests cases

[Grenfell Tower Inquiry](#)

Acted for bereaved families in phase 1 of the independent public inquiry of the fire at Grenfell Tower on 14 June 2017.

[The Tunisia Inquests](#)

Acted for a bereaved family in the inquests following the terrorist massacre in Sousse, Tunisia on 26 June 2015

Travel Litigation and Personal Injury

Asela has extensive experience in claims arising out of overseas accidents and illness and is ranked in Chambers & Partners and Legal 500 as a leading junior in the field of Travel Litigation.

He is regularly instructed in respect of claims under the Package Travel Regulations, including advising as to the applicability of the Regulations (1992 and 2018), dynamic packaging, incidents which occur in the course of excursions and evidence as to standards of care abroad.

Asela also regularly undertakes cases where issues of jurisdiction and conflict of laws arise and frequently acts in claims pursued in the courts of England and Wales which are determined under foreign law. Asela has considerable expertise in claims against EU Member State public liability insurers, foreign motor insurers and

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against the Motor Insurers' Bureau for overseas road traffic accidents where drivers are untraced or uninsured.

Asela receives instructions pursuing and defending claims arising out of accidents and illnesses which occur in the course of air travel, in claims arising under the Warsaw Conventions and Montreal Convention. Asela has acted in claims arising from accidents and illnesses which occur at sea, including those pursued in the Admiralty Court jurisdiction and is well placed to advise on the procedural and substantive issues which are particular to such claims.

Asela also regularly advises and acts for claimants and insurers in the fields of public, employers' and motor liability and is ranked in Legal 500 as a leading junior in the field of Personal Injury. He has particular experience in claims giving rise to complex issues of medical causation and has acted both led and as sole junior in high value cases arising out of severe and catastrophic injury.

Public Access

Asela is able to accept instructions directly from members of the public, companies and other entities through the public access scheme (also known as direct access). He has acted, advised and drafted pleadings and documents for a number of individuals and small and medium sized businesses on a direct access basis. He is happy to accept instructions on a direct basis in appropriate cases. If you wish to instruct Asela on a direct basis, please speak to the clerks.

For more information on public access, please see the Bar Council [website](#).

Publications

- Asela is a contributor to the APIL Guide to Accidents Abroad (Jordans 2013)

Memberships

- PEOPIL

Qualifications

- LLM (International Law) (First Class), Fitzwilliam College, Cambridge
- LLB (First Class), King's College, London

Awards

- Lord Denning scholarship – Lincoln's Inn
- Senior Scholar, Fitzwilliam College, Cambridge
- F.A. Whitlock Prize, Fitzwilliam College, Cambridge