



## RUWAN WATHUKARAGE

Master of Laws, Litigation and Dispute Resolution, University of Queensland  
Graduate Diploma in Applied Law, University of Queensland  
Attorney at Law (Final Examination), Law College of Sri Lanka

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Mobile	+61 468 437 307
Telephone	+61 2 8067 5539
Email	<a href="mailto:rwathukarage@selbornechambers.com.au">rwathukarage@selbornechambers.com.au</a>
Chambers	Selborne Chambers, Level 5 174 Phillip Street, Sydney NSW2000

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Admitted to the legal profession	2008
Admitted as a barrister in NSW	2018
Also entitled to practice in	All Australian jurisdictions

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### Principal areas of practice

Building & Construction Law	Industrial & Employment Law
Equity & Commercial Law	Australian Consumer Law
Insurance & Reinsurance	Mediation, Domestic & International
Succession & Probate	Arbitration

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### Experience

My practice is defined by precision, strategic insight, and a results-driven approach. I have consistently managed complex, high-value matters -both led and unled- from commencement through to final hearing, with regular appearances in the Supreme Court and District Court. As a persuasive and strategic advocate, I bring a broad and nuanced perspective to each case, drawing on my experience across litigation, mediation, and arbitration.

Since 2009, I have mediated over 1,000 disputes in all areas of law. I employ an organic, client-centric mediation process to explore every aspect of the conflict and discover the dispute's challenges, possibilities, and opportunities.

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### Accreditations and memberships

Member, NSW Bar Association  
Member, Australian Bar Association  
Member, Chartered Institute of Arbitrators, London  
Panel Mediator-Australian Dispute Centre (ADC)  
Panel Mediator-ResoX-Singapore  
Nationally Accredited Mediator (NMAS/2013)

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### Additional Information

Selected as an Expert Assessor/Judge at leading international mediation and negotiation competitions, including:

- the 20<sup>th</sup> ICC Mediation Week hosted by the International Chamber of Commerce in Paris in February 2025; and
- the upcoming 10<sup>th</sup> IBA-VIAC CDRC Mediation and Negotiation Competition in Vienna (July 2025).

## SELECTED CASES AS COUNSEL

### Court of Appeal (NSWCA) and Supreme Court of New South Wales (NSWSC)

- *Smart Commercial Solar Pty Ltd v Beyond Zero Technologies Pty Ltd* [2024/421416] NSWSC; breach of contract, counsel for the plaintiff.
- *Discount Compound Pharmacy Pty Ltd v The Council of City of Sydney* [2024/209721] NSWSC; breach of contract, misleading and deceptive conduct, breach of the *Retail Lease Act 1994*, NSW; counsel for the defendant and the cross-claimant.
- *Secure Funding Pty Ltd v FC Mansour Pty Ltd, in its capacity as trustee for FC Mansour Unit Trust and Fadi Mohamad Mansour* [2024/260765] NSWSC; breach of contract, possession; counsel for the defendant.
- *Anthony Charles Cross v Edward Samuel Cross* [2023/344432] NSWSC; family provision; counsel for the defendant.
- *Eugenie Elizabeth Osterberg-Olsen v Garry William McGrath* [2023/39504] NSWSC; family Provision; counsel for the defendant.
- *Clifford Construction (In Liquidation) v G and Z Form Group and others* [2023/127386] NSWSC; unfair preference payment counsel for the first defendant.
- *Animal Kingdom Gym Pty Ltd v Timothy Perry* [2023/364116] NSWSC; injunction, restraint of trade; counsel for the defendant.
- *Huang v Nazaran* [\[2023\] NSWCA 8](#), judicial review; counsel for the applicant led by Garry McGrath SC.
- *Ziaee v Rubino* [\[2023\] ACTCA 7](#), personal injury; counsel for the respondent led by Andrew Campbell.
- *Riva NSW Pty Limited & Others v Key Nominees Pty Ltd* [\[2023\] NSWSC 71](#); appointment of a receiver; counsel for the first and third plaintiffs.
- *Re Estate Buxton: Knoll v Buxton* [\[2023\] NSWSC 819](#), family provision; co-counsel for the defendant.
- *CS1 Evaline Pty Ltd v Ong* [\[2023\] NSWSC 1065](#), breach of contract, specific performance; co-counsel for the plaintiff.
- *Min Sheng Investment Pty Ltd, trading as Min Sheng Investment Pty Ltd, is trustee for Min Sheng Investment Trust v Skyland Australia Developments Pty Ltd in its own capacity and as trustee for SAD Unit Trust* [2022/366623] NSWSC; breach of contract, unconscionable conduct; counsel for the plaintiff, led by David Prichard SC.
- *Qing Li v Novatti Group and Xiadi Chen* [2022/131105] NSWSC; shareholder dispute, unconscionable conduct; counsel for the first defendant.

- *John Bernard English & Other v Transport for New South Wales and Fulton Hogan Construction* [2022/291870] NSWSC; removal of support, negligence; counsel for the plaintiffs.
- *Bangladesh Islamic Centre of NSW Inc v Elzamtar* [\[2021\] NSWCA 198](#), application to receive further evidence; co-counsel for the appellant.
- *Avant Insurance Limited v Burnie* [\[2021\] NSWCA 272](#); Insurance Contracts Act 1984 (Cth) ss 40, 54; counsel for the respondent led by Andrew Campbell.
- *Matthew Bryant Smith v Coles Supermarkets & Chandler Macleod Group Limited* [\[2020\] NSWCA 206](#), personal injury; led by Michael Cranitch SC.
- *Rebecca Doraisamy and others v Kathrin Doraisamy and others* [2020/00271580] NSWSC; family provision; counsel for the plaintiff.
- *Matthew Jackson v Blue Mountains Katoomba Local Health District* [2020/00126289] NSWSC; medical negligence; counsel for the plaintiff.
- *Laurellen Davis v Blue Mountains Katoomba Local Health District* [2020/00126294] NSWSC; medical negligence, nervous shock; counsel for the plaintiff.
- *Taouk v Ho* [\[2019\] NSWCA 156](#); building and construction; counsel for the applicant led by Ian Roberts SC.
- *Menz v Wagga Wagga Show Society Inc (No 3)* [\[2019\] NSWSC 541](#), tort negligence- personal injury; counsel for the plaintiff led by Michael Cranitch SC.
- *Marketlend v Globo Hydro Power Australia Pty Ltd and others* [2019/58341] NSWSC; breach of contract-personal guarantees; counsel for the fifth defendant.
- *Malcolm Stuart Hill by his tutor Shane Joseph Hudson v Trevor John Hill and others* [2019/00307695] NSWSC; family provision; counsel for the plaintiff.
- *R v Kulwinder Singh* [2017/2019] NSWSC; murder, nine-week jury trial; counsel for the defendant led by Margaret Cunneen SC.

#### Federal Court of Australia

- *Smyth v Zou* [\[2023\] FCA 409](#); breach of contract, misleading and deceptive conduct; co-counsel for the defendant.

#### District Court of NSW (NSWDC)

- *Demon Henshaw v Owner Corporation Strata Plan 92042* [2024464276] NSWDC; preliminary discovery; counsel for the defendant.
- *Tiffany Chang v Wei Lan* [2023/126985] NSWDC; misleading and deceptive conduct; counsel for the defendant.
- *SafeWork NSW v G and Z Form Group Pty Ltd* [\[2023\] NSWDC 177](#), workplace health and safety; counsel for the defendant led by Ingmar Taylor SC.

- *Bronxx Tonkin Pty Ltd v Elite Civil Pty Ltd* [2021/350736] NSWDC; breach of contract; counsel for the defendant.
- *Commercial Waterproofing & Tiling PTY LTD v Elie Chami* [2020/00312786] NSWDC; building and construction; counsel for the defendant.
- *China Towing Pty Ltd v Hatzipapa* [2018] NSWDC 345; torts, wages; counsel for the plaintiff led by Tom Dixon.
- *Build Direct Global & Fuzhon Builddirect Limited v Wet Design Group Limited* [2015/00303537] NSWDC; breach of contract-misleading and deceptive conduct; counsel for the plaintiff led by Shane Prince SC.

#### New South Wales Civil and Administrative Tribunal (NCAT)

- *George Konidaris & Tina Konidaris v Sirigos Development* [HB22/49514], [HB23/04770] NCAT; home building; counsel for the defendant.
- *The Owners- Strata Plan No; 102171 v Ceerose Pty Ltd and Zone Q* [HB: 23/02170] [HB 22/48969] NCAT; building and construction; counsel for the second respondent, developer.
- *Brooke Hayne & Mark Wright v Adam Elford* [HB/202344206] NCAT; home building; counsel for the plaintiffs.

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#### Previous Experience

Prior to being called to the Bar, I practised as a solicitor in New South Wales (Zhang Partners Solicitors) and Queensland (Smith & Associate Solicitors), with a focus on commercial litigation and family law. As an accredited mediator, I worked part-time with Relationships Australia (QLD) while operating my own mediation practice. I regularly conducted complex, multi-party mediations across a broad range of legal areas, including commercial disputes, family law, and community matters.

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#### Publications

Wathukarage, Ruwan. "Independence of The Judiciary in Sri Lanka: An Institutional Analysis of Its Woes." *LAWASIA Journal*, (2007):187-209