

**IN THE COURT OF APPEAL OF THE DEMOCRATIC SOCIALIST
REPUBLIC OF SRI LANKA**

CA Writ 589/2011

Squadron Leader Dinesh Jayasinghe,
No. 15, De Silva Road,
Panadura.

Petitioner

Vs.

Air Marshal H.D. Abeywickrame,
Commander of the Air Force,
Air Force Head Quarters,
P.O. Box 594,
Colombo 02.

And 10 others.

Mr. Gotabhaya Rajapaksha,
Secretary,
Ministry of Defence,
No: 15/5,
Baladalsha Mawatha,
Colombo 02.

Mr. Lalith Weerathunga
Secretary to His Excellency the President,
Presidential Secretariat,
Colombo 01.

Respondents

CA WRIT 589/2011

Before : Sisira De Abrew J. P/CA (Actng.) &
Sunil Rajajakshe, J.

Counsel : Saliya Peiris with Asthika Devendra and Arjana
Rathnasiri for the Petitioner.
Shevindra Fernando DSG for the Respondents.

Decided on : 23.10.2012.

Sisira De Abrew J.

Learned DSG submits that the letter sent to His Excellency recommending the withdrawal of the commission of the Petitioner has been withdrawn by the 1st respondent by his letter dated 7.08.2012. Learned DSG further submits that no action would be taken in respect of the withdrawal of the commission of the Petitioner except upon a report submitted at an inquiry conducted by Sri Lanka Air Force.

Learned DSG further submits that the said inquiry would be conducted in terms of the Air Force Act and Regulations made under the said Act. In view of the said submissions made by the Learned DSG, Learned Counsel for the Petitioner makes an application to

withdraw the Petition. The application of the withdrawal of the Petition is allowed. Petition is dismissed.

Petition dismissed.

ACTING PRESEIDENT OF THE COURT OF APPEAL

Sunil Rajajakshe, J.

I agree,

JUDGE OF THE COURT OF APPEAL.

Mm/-.