

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

In the matter of an application for  
leave to appeal preferred under the and  
in terms of section 754(2) of the Civil  
Procedure Code



Case No: 8442/RE  
No: CALA 381/05

1(a) Chandra Ekanayaka alias  
P.Liliot Fernando, No: 40/8, Ellias  
Road, Colombo 09.  
1(b) Manjula Ekanayaka  
No 42, Allias Road, Colombo 09  
1(c) Ramya Ekanayaka  
1(d) Shiromi Ekanayaka  
both of No: 40/8, Ellias Road, Colombo  
09

**SUBSTITUTED -DEFENDANT -  
JUDGMENT -DETOR -  
RESPONDENT-PETITIONERS**

-Vs-

(1) Chithra kalyani Edirisinghe  
(2) Sudarma Edirisinghe ,  
both of No:165, Ketawalamulla lane,  
Colombo 09.

**PROPOSED -SUBSTITUTED-  
PLAINTIFF- JUDGMENT -  
CREDITOR- RESPONDENTS**

**CA381/2005**

**D.C. Colombo 8442/Re**

**Before** : **Eric Basnayake, J**

**Counsel** : Upali de Almeda for the Plaintiff-Respondent  
Defendant Appellant is absent and unrepresented

**Argued &**

**Decided on** : **02.05.2012**

**Eric Basnayake, J**

Counsel appearing for the petitioner moves to withdraw this application as the appeal had been decided against him on 24.07.2012 in the Civil Appellate High Court. Counsel appearing for the respondent does not object for the withdrawal. Application for withdrawal is allowed. Leave to Appeal application is dismissed without costs.

**JUDGE OF THE COURT OF APPEAL**

Na/-