

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

In the matter of an application in the Nature of
Writ of Certiorari Mandamus and prohibition in
terms of Article 140 of the Constitution of the
Democratic Socialist republic of Sri Lanka.

CA Writ 141/2012

Warnakulasuriya Mudiyanseelage Weerasekera,
No:702, Pal Wehera, Dambulla.

Petitioner.

Vs:

1. D.G.MV. Hapuarachchi, Commissioner
General of Excise, Excise Department of Sri
Lanka, No;28, Staple Street, Colombo 2.

And 11 others.

Respondents.

C.A. Writ Application No. 141/2012

Before : **S. SRISKANDARAJAH, J. (P/CA) &
DEEPALI WIJESUNDERA, J.**

Counsel : Dr. Sunil Cooray with D.H. Siriwardena
and Sunil Mallawaarachchi for the
Petitioner.

A.H.M.D. Navaz D.S.G. for the
Respondents.

Argued &
Decided on : 27.06.2012.

S, Sriskankarajah, J. (P/CA)

Learned Counsel for the Petitioner supports this application.

Learned D.S.G. informs court that the inquiry was held after the order of suspension marked P13 and thereafter decision has been taken to cancel the licence given to the Petitioner. In view of this, the learned Counsel for the Petitioner moves to withdraw this application reserving his right to file a fresh application if necessary to challenge the order of the

cancellation. The application for withdrawal is allowed and this application is pro forma dismissed without costs.

PRESIDENT OF THE COURT OF APPEAL

DEEPALI WIJESUNDERA, J.

I agree.

JUDGE OF THE COURT OF APPEAL.

/mds