

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

In the matter of application under Article 138 of the  
Constitution and Section 753 of Civil Procedure  
Code.

CA Application No. **1788/2004** (Revision)  
DC Colombo Case No. 18399/MR

Suresh Rathnam  
No. 160, Park Road,  
Colombo 05.

**Plaintiff**

**Vs**

Seylan Bank Limited  
Sir Baron Jayatilleke Mawatha,  
Colombo 01.

**Defendant**

**And,**

Seylan Bank Limited,  
Sir Baron Jayatilleke Mawatha,  
Colombo 01.

**Defendant-Petitioner**

**Vs,**

Suresh Ratnam  
No. 160, Park Road,  
Colombo 05.

**Plaintiff-Respondent**

C.A. 1788/2004 : D.C. Colombo Case No. 18399/MR

Before : Upaly Abeyrathne,J.

Counsel: Rayoma Paranagama D. Amarasinghe for the Defendant-Petitioner  
C.V. Vivekananthan with Mrs. Pansy N. Joseph for the Plaintiff-Respondent

Argued &

Decided on : 09.-07.2012

Upaly Abeyrathne,J.

Both counsel make following applications as follows:-

Matter in dispute has been settled between the parties out of Court. Plaintiff-Respondent will enter satisfaction of decree in the District Court Case No. 18399/MR. In view of that undertaking given by the Plaintiff-Respondent, Defendant-Petitioner makes an application to withdraw this application without costs.

The application for withdrawal is allowed. This Application in Revision is dismissed without costs.

Registrar is directed to send this order to the learned District Judge of Colombo.

JUDGE OF THE COURT OF APPEAL

Cr/-