

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

In the matter of an Application under
Sections 754(2) 757 of the Civil Procedure
Code as amended by Act NO.79 of 1988 and
38 of 1998.

Court of Appeal Leave to
Appeal Application No.38/03
D.C. Badulla Case No.L/1044

1. R.M. Ratnayake,
Windsland Estate,
Ambawaka,
Haliela.

1 st Defendant-Petitioner

Vs.

S.M. Premaratne
No.111, Winds land Estate,
Ambawaka,
Haliela.

Plaintiff-Respondent

Land Reform Commission,
Gregory Road,
Colombo 7.

Defendant-Respondent

C.A. L.A. 38/2003

:

D.C. Badulla Case No. 1044/L

Before : Upaly Abeyrathne,J.

Counsel: S.N. Vijith Singhe for the Defendant-Appellant
Nilmini Sirimanna for the Plaintiff-Respondent

Argued &

Decided on : 09.-07.2012

Upaly Abeyrathne,J.

Learned counsel for the Appellant states that this case has been decided in favour of the Plaintiff-Respondent by the learned District Judge. In view of the said Judgment, learned counsel for the Appellant makes an application to withdraw this application for leave to appeal.

Learned counsel for the Respondent has no objection to this application.

Accordingly, the application for withdrawal is allowed. This Application for leave to appeal is dismissed without costs.

JUDGE OF THE COURT OF APPEAL

Cr/-