

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

C.A.L.A No: 03/2009

Board of Quazis No: BQ/4375

Quazi Court of Colombo

North & West NO: CN/745/T

Nazeer Hussain Ghany,
No: 12,
Stratford Avenue,
Colombo 6.

Applicant-Respondent-Petitioner

Vs.

Mrs. S.Y.N.H. Ghany,
No: 14,
Baseline Avenue,
Colombo 09

Respondent-Petitioner-Respondent

Before: **Sisira de Abrew, J &**
K.T.Chitrasiri, J

Counsel: Farook Thahir for the Petitioner.
F. Miskin for Respondent.

Argued &
Decided on: 15..01.2013

Sisira de Abrew, J

Learned Counsel for the Petitioner submits that the Petitioner in this case is dead. He further submits a certified copy of the death certificate. The Registrar is directed to file the same in the docket. In these circumstances learned counsel for the Petitioner makes an application to withdraw the petition. The application for withdrawal of the petition is allowed. Petition is accordingly dismissed.

Judge of the Court of Appeal

K.T.Chitrasiri, J

I agree.

Judge of the Court of Appeal

Kpm/-