

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

**CA Writ 1034/2007**

T.H.Ranjith Silva,  
Ananda Rajakaruna Mawatha,  
Urawatte,  
Ambalangoda.

**PETITIONER**

**Vs.**

1. D.G.M.V. Hapuarachchi,  
Commissioner General of Excise,  
Excise Department,  
No.28, Staple Street,  
Colombo 02.
2. L. K. G. Gunawardena,  
Commissioner of Excise (Revenue),  
Excise Department,  
No.28, Staple Street,  
Colombo 02.
3. A. C. Boderagama  
Deputy Commissioner of Excise (Revenue),  
Excise Department,  
No.28, Staple Street,  
Colombo 02.
4. B. A. Dayaratne,  
Assistant Commissioner of Excise (Southern Province),  
Department of Excise,  
Galle.
5. L. K. Ariyaratne,  
Divisional Secretary,  
Divisional Secretariat,  
Ambalangoda.

**RESPONDENTS**

**CA.Application No. 1034/07 ( Writ)**

**Before:** : Anil Gooneratne, J &  
H.N.J.Perera, J

**Counsel:** Chandimal Mendis for the Petitioner.  
M.N.B. Fernando DSG for the Respondents.

**Argued &  
Decided on:** 15.02.2013.

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**Anil Gooneratne, J**

DSG Mrs. Fernando is present in this Court and takes notice of this application on behalf of the 1<sup>st</sup> to 5<sup>th</sup> Respondents. Mr. Mendis who is appearing today for the Petitioner informs Court that he has instructions as per motion dated 05.02.2013 to withdraw this application. The application for withdrawal is allowed. The application is dismissed. No costs.

Judge of the Court of Appeal

**H.N.J.Perera, J**

I agree.

Judge of the Court of Appeal

Kpm/-