

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

CA Writ Application No.63/2012

Jayathungage Sarath Jayathunga
No. 270/19R,
Royal Gardens,
Horana.

Petitioner

-Vs-

1. Seylan Bank PLC
Seylan Towers,
No. 90, Galle Road,
Colombo 03.

2. I.W Jayasuriya
Licensed Auctioneer,
No. 369/1,
Dutugamunu Mawatha,
Lewella Road,
Mawilmada

Respondents

Before : **S. Sriskandarajah, J P/CA**

P.W.D.C. Jayathilaka, J

Counsel : S. Arachichige for the Petitioner.

M. Muthukuma with Jennifer Proch
for the Respondent.

**Argued &
Decided on** : 05.02.2013

S. Sriskandarajah, J P/CA

The Counsel for the petitioner moves to withdraw this application reserving his right to negotiate with the bank and settle the issue. This court allows the petitioner to withdraw this application. This application is proforma dismissed without costs.

President of the Court of Appeal

P.W.D.C. Jayathilake, J

I agree.

Judge of the Court of Appeal

Na/-