

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

CA/316/98 (F)

D.C. Mt Lavinia Case No: 3040/RE

Munasinghe Arachchige Done Hemalatha
No: 78,
Thorana junction,
Kelaniya.

Plaintiff

Vs.

Galabada Liyanage Ariyadasa
No: 261,
Thalwathugoda Road,
Mirihana,
Kotte.

Defendant

AND

Galabada Liyanage Ariyadasa
No: 261,
Thalwathugoda Road,
Mirihana,
Kotte.

Defendant Appellant

Munasinghe Arachchige Done
Hemalatha
No: 78,
Thorana junction,
Kelaniya.

Plaintiff -Respondent

C.A. Appeal No. 316/98 (F) - D.C. Mt. Lavinia No. 3040/RE

Before : **K.T. CHITRASIRI, J.**

Counsel : M.C. Jayaratne with M.D.J. Bandara for
The Substituted Defendant-Appellant.

Vidura Gunaratne for the Plaintiff-
Respondent

Argued &
Decided on : 28.03.2013.

K.T. Chitrasiri, J.

Mr. M.C. Jayaratne who appears for the Substituted-Defendant Appellant, having concluded his submissions moves to withdraw this appeal subject to the civil rights of the appellant being reserved. Mr. Vidura Gunaratne appearing for the plaintiff-respondent has no objection to this application. Accordingly, the application for withdrawal is allowed. Appeal is accordingly dismissed without costs. This decision shall not be a bar to vindicate the civil rights of the appellant.

Appeal dismissed.

JUDGE OF THE COURT OF APPEAL

/mds