

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

CA (PHC) 65/2009

HC Kandy Case No: 05/08

Central Provincial Grama Niladhari SANASA Society,
150/1,
Kotugodalle Street,
Kandy.

Petitioner-Appellant

Vs.

Co-operative Employees Commission of the Central Province,
No.109,
Yatinuwara Street,
Kandy.

Mahendra Karaputugala(Chairman),
Co-operative Employees Commission of the Central Province,
No.109,
Yatinuwara Street,
Kandy.

E.Gamini Samaratuga(Member)
Co-operative Employees Commission of the Central Province,
No.109,
Yatinuwara Street,
Kandy.

Thushar Kamalarathe(Member),
Co-operative Employees Commission of the Central Province,
No.109,
Yatinuwara Street,
Kandy.

R.P.Leela Weerasinghe (Secretary),
Co-operative Employees Commission of the Central Province,
No.109,
Yatinuwara Street,
Kandy.

Commissioner of Co-operative Development & Registrar of
Co-operative society of the Central Province,
Department of Co-operative Development,
Ehelepola Kumarihami Mawatha,
Bogambara,
Kandy.

Mahinda Weerasinghe,
Girihagama,
Kumburegama.

Respondents-Respondents

BEFORE : Rohini Marasinghe, J. &

Deepali Wijesundera, J.

COUNSEL : K. Dunusinghe for the Appellant.

Shamir Zavahir for the 7th Respondent.

ARGUED &

DECIDED ON : 01.04.2013

Rohini Marasinghe, J.

The appellant in this case has made an application seeking inter alia a writ to quash the documents marked as P5A and P7A.

According to the submissions made by Counsel for the appellant the decisions contained/and or facts contained in the impugned documents marked as P5A and P7A have now been rectified.

Therefore, as the documents P5A and P7A have now been amended the appellant moves to withdraw the appeal receiving the right to re agitate the appeal if necessary.

The appeal was withdrawn by the Appellant on 19.02.2013. The reasons for the withdrawal of the appeal was the Respondent has amended/rectified their

decisions contained in the following documents. The documents are as follows.

1. Document dated 11.08.2008 sent by the 6th Respondent to the Secretary of the Petitioner institution.
2. Document dated 06.12.2010 sent by the 5th Respondent to the Chairman of the Petitioner institution.
3. Document dated 31.12.2010 sent by the 5th Respondent to the Chairman of the Petitioner institution.

The dates of the documents have not been included in the order dated 19.02.2013. Therefore I now include in the judgment that the withdrawal of the appeal by the Appellant was due to the decisions contained in the aforementioned documents. Therefore, documents mentioned above should be included as part of the order delivered on 19.02.2013.

JUDGE OF THE COURT OF APPEAL.

Deepali Wijesundera, J.

I agree.

JUDGE OF THE COURT OF APPEL.

NR/-