

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

**CA 576/98(F)**

DC Matale 3443/X

Peoples' Bank  
No. 75,  
Sir Chiththampalam A Gardiner Mawatha,  
Colombo 02.

**Petitioner**

**Vs.**

H. Rohini Udula Kumari  
No. 757, Meepitiya,  
Kegalle.

E.W.P.William Silva  
433, Trincomalee Street,  
Matale.

**Respondent**

**And Between**

E.W.P.William Silva, (Deceased)  
433, Trincomalee Street,  
Matale.

E.W.P.William Silva  
433, Trincomalee Street,  
Matale.

**Substituted 2nd Respondent-Appellant**

**Vs.**

Peoples' Bank  
No. 75, Sir Chiththampalam A Gardiner  
Mawatha,  
Colombo 02.

**Petitioner –Respondent**

C.A.Appeal No.576/98

D.C.Matale No.3443/X

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

Counsel : Sampath Perera for the 2<sup>nd</sup> Respondent-Appellant.

Hiran de Alwis with Kalpa Virajith for the Petitioner-Respondent

Mahanama de Silva with Nadeeka Senanayake for the 1<sup>st</sup> Respondent-Respondent

Argued &  
Decided on : 29.04.2013

**K.T.Chitrasiri, J**

Heard all three Counsel in support of their respective cases.

Having concluded the arguments, Counsel for appellant moves to withdraw the appeal. Application for withdrawal of the appeal is allowed. Accordingly appeal is dismissed without costs.

*Appeal dismissed*

JUDGE OF THE COURT OF APPEAL

KLP/-