

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

C.A. No: 1262/98 F

D.C. Mt. Lavinia 132/93/L

Premasinghe Munidasa Jayaweera
No: 35, Beddagana Road,
Pitakotte.

Plaintiff

Vs.

1. Stanley Pandigama
No: 20, Veherakande road,
Pitakotte.
2. P.G. Rani Chandralatha
3. Jayasiri Kalubowila
4. Piyaseeli Jayaweera

All Are

No: 28, Veherakande road,
Pitakotte.

Defendants

AND NOW

2. P .G. Rani Chandralatha
No: 28, Veherakande road,
Pitakotte.
3. Jayasiri Kalubowila
No: 28, Veherakande road,
Pitakotte.

Defendant-Appellants

Vs.

1. Stanley Pandigama
No: 20, Vehera Kanda road,
Pita Kotte.

Defendant-Respondent

2. Pemasinghe Munidasa Jayaweera
No: 35, Beddagana road,
Pita Kotte.

Plaintiff-Respondent

C.A.No.1262/98 (F)

D.C.Mt. Lavinia 132/93/L

Before : K.T.Chitrasiri,J.
Counsel : Chamantha Weerakoon Unambuwa for the
Defendant- Appellants.
Jaliya de Siva for the Plaintiff-
Respondent.
Argued and
Decided on : 09.05.2013.

K.T.Chitrasiri,J.

Counsel for the Defendant-Appellants moves to withdraw the appeal provided the plaintiff-respondent foregoes the damages awarded in his favour. Counsel for the plaintiff-respondent agrees not to claim the damages and the costs awarded by the learned District Judge in favour of the plaintiff. Application for withdrawal is allowed. The plaintiff-respondent is not entitled to the damages and the costs of the action awarded by the learned District Judge in his favour. At this stage, both parties agree to restore the fence between the Lots A and B in Plan No.225 of Stanley Ubayasiri, Licensed Surveyor.

In view of the above settlement, proceedings of this appeal are terminated.

Proceedings terminated.

JUDGE OF THE COURT OF APPEAL

WC/-