

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

**CA/PHC/164/2002**

1. U.N.Gunasekara  
No. 07, Sigiriya Gardens  
Colombo -03.  
(Now deceased)
  
2. C.L. Gunasekara  
No. 215/18, Bagatalle Road,  
Colombo- 03.  
(Now deceased)
  
3. S.L.Gunasekara  
No. 215/18, Bagatalle Road,  
Colombo- 03
  
4. D.N.Gunasekara  
Alfred Place  
Colombo- 03

**Respondent Petitioner Appellants**

**Vs.**

The Chairman  
Employees Trust Fund,  
Narahenpita,  
Colombo- 05.

**Complainant Respondent-  
Respondent**

C.A. (PHC) 164/2002 - H.C. Colombo No. 1551/2002

Before : **A.W.A. Salam, J. &  
Sunil Rajapakshe, J.**

Counsel : Sumith Munasinghe , Assistant  
Accountant of Firm U.N. Gunasekara  
represented for Respondent-Petitioner –  
Appellants.

Chaya Sri Nammuni S.C. for the  
Respondent-Respondent-Respondent

Decided : 08.05.2013.

\*\*\*\*\*

**A.W.A. Salam, J.**

Sumith Munasinghe, Assistant Accountant of Firm  
U.N. Gunasekara representative of the Respondent-Petitioner –  
Appellants moves to have the appeal withdrawn as his employers  
(Appellants) have already paid the amount due to the E.T.F. Trust  
Fund.

Application for withdrawal of the appeal allowed.  
Appeal dismissed without costs.

**JUDGE OF THE COURT OF APPEAL**

**Sunil Rajapakshe, J.**

I agree.

**JUDGE OF THE COURT OF APPEAL.**

/mds