

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

**C.A. No. 1295/2000(F)**

D.C. Horana Case No. 4493/L

Beligahage Don Nandasena Abeyrathna  
No: 166 B,  
Pagiriwatta Lane,  
Mirihana,  
Nugegoda.

**Defendent Appellant**

**Vs.**

Opallage Don Nandasena  
No: 267,  
Panadura Road,  
Horana.

**Complainant Respondent**

**C.A. No. 1295/2000(F)**

**D.C. Horana Case No. 4493/L**

**Before** : **Upaly Abeyrathne, J.**

**Counsel** : 1<sup>st</sup> Defendant-Appellant is present.  
Plaintiff-Respondent is present.

**Decided on** : 15.05.2013.

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**Upaly Abeyrathne, J.**

1<sup>st</sup> Defendant-Appellant is present before Court. He makes an application to withdraw the appeal. The Plaintiff-Respondent is present before Court. He has no objection to this application for withdrawal of the appeal. Application for withdrawal is allowed. The appeal is dismissed without costs.

Registrar is directed to send the main case record to the relevant District Court.

JUDGE OF THE COURT OF APPEAL

AKN