

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

**C.A. (Writ) Application No. 238/2012**

J.R. Seneviratne,  
Siyambalapitiya,  
Yattogoda.

**Petitioner**

**Vs.**

Z.A.M. Faizal,  
Assistant Commissioner,  
Agrarian Development,  
Agrarian Development District Office,  
Kegalle.

And 05 others

**Respondents**

**C.A (Writ) 238/2012.**

**Before** : **S. Sriskandarajah, J.(P/CA)**

**Counsel** : Chandana Wijesooriya for the Petitioner.  
A. Samaranayake SSC for the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup>  
Respondents.  
Mahinda Nanayakkara with Aruna  
Jayathilaka for the 4<sup>th</sup> Respondent.

**Argued &**

**Decided on:** 17.05.2013

**S. Sriskandarajah, J.(P/CA)**

The learned Senior State Counsel informs court that the 6<sup>th</sup> Respondent will hold a fresh inquiry and as the impugned order is made by the 1<sup>st</sup> Respondent, the 6<sup>th</sup> Respondent will direct an officer (other than the 1<sup>st</sup> Respondent) to hold the said inquiry after noticing the parties concerned. In view of this undertaking the learned Counsel for the Petitioner moves to withdraw this application. Application for withdrawal is allowed and this application is pro-forma dismissed.

Application dismissed.

**PRESIDENT OF THE COURT OF APPEAL**

Vkg/-