

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

CA (Writ) No: 382/2012

W.M. Bisomenika
144 Thennewatte, Thunmung Handiya,
Polgahanga
Weligalla.

Petitioner

Vs.

1. N. Abeyawickrema
Director-General Pensions,
Department of Pensions,
Maligawatte Secretariat
Colombo 10.
2. Maheshika Koddipilliarachchi
Director of Pensions
Widows and Orphans Pensions Branch,
Department of Pensions,
Maligawatte Secretariat,
Colombo 10.
3. The Divisional Secretary
The Divisional Secretariat
Udunuwara.

Respondents

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

Counsel : Hejaaz Hizbullah for the Petitioner.
S. Samaranayake SSC for the
Respondents.

Argued &

Decided on: 21.05.2013

S. Sriskandarajah,J.(P/CA)

Learned Senior State Counsel submitted to court that the Pension Department has agreed to pay the Widows and Orphans Pension to the Petitioner from 28.11.1989 the date on which her husband's demise demised and up to 16.08.2010. This payment was under Section 30 of the Widows and Orphans Pension as amended by Act No: 44 of 1981. The Petitioner's pension had been paid from 17.08.2010. In view of this undertaking the counsel for the Petitioner moves to withdraw this application. Application for withdrawal is allowed and this application is pro-forma dismissed without costs.

Application dismissed.

PRESIDENT OF THE COURT OF APPEAL

Vkg/-