

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

C.A. 168/98(F)

D.C. Maho Case No: 3828/T

R.M. Premathilake
Palukadawala,
Galgamuwa.

Appellant

Vs.

R.M. Somasiri
Budamutthawa,
Nikaweratiya.

Respondent

C.A. 168/98(F)

D.C. Maho Case No: 3828/T

BEFORE : **K.T. CHITRASIRI,J.**

COUNSEL : A.A.M. Elyas for the Petitioner-Appellants.
Ikram Mohamed PC. with Athula Perera and Ms.
Chathurani de Silva for the Plaintiff-Respondent-Respondent.

**ARGUED &
DECIDED ON** : 05.06.2013

K.T. CHITRASIRI,J.

Learned Counsel for the Appellant submits that the order that is being challenged in this appeal is in respect of an order made consequent to the application made in the petition dated 10.10.1997 which was supported on the 13.10.1997. The said petition dated 10.10.1997 is found at page 38 of the brief. In that petition, among the other reliefs an application for an interim injunction also had been made. The impugned order is in respect of the said interim injunction referred to in the petition dated 10.10.1997. In view of the above circumstances, learned Counsel for the appellant moves to withdraw this appeal reserving his right to pursue the other reliefs referred to in the aforesaid petition dated 10.10.1997.

Counsel for the respondent has no objection to this application. Application for withdrawal of the appeal is allowed. Accordingly, the appeal is dismissed without costs.

The appeal is dismissed.

JUDGE OF THE COURT OF APPEAL

Jmr/-