

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

**CA Case No. CA 398/2000(F)**

DC Case No. 15673/P

Magulmaduwe Vidanalage Randohamy,  
Nakandala,  
Eheliyagoda. (deceased)

**6th Defendant-Appellant**

6A. Dissanayaka Mudiyanseelage Kamani Pushpalatha  
No. 320,  
Nakandala,  
Eheliyagoda.

**6A Defendant-Appellant-Petitioner  
Party sought to be substituted**

**-Vs-**

Nawagamuwa Waduge Duliyan Perera,  
No. 55,  
Oruthota Road,  
Gampaha.

And others

**Defendant-Respondents- Respondents**

C.A.No.398/2000

D.C.Avissawella No.15673

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Before : **Upaly Abeyrathne, J.**

Counsel : 6A Defendant-Appellant is present in Court.  
R.V.Perera for the Plaintiff-Respondent

Decided on : 05.06.2013

**Upaly Abeyrathne, J.**

M.V.Randuhamy 6A Defendant-Appellant present before Court and makes an application to withdraw this appeal. She further informs Court that she is willing to partition the land according to the judgment of the District Court. Counsel for the Plaintiff-Respondent has no objection to this application for withdrawal. Accordingly application for withdrawal of the appeal is allowed. The appeal is dismissed without costs.

Registrar is directed to send the main case record to the District Court of Avissawella together with this order.

JUDGE OF THE COURT OF APPEAL

KLP/-