

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

C.A. Case No. 266/98 (f)

DC (Galle) Case No. L / 12396

Yakgaha Hewage Karunapala,
Delgahawatta, Kitulampitiya,
Wakwella.

Plaintiff

-Vs-

1. Dayawathi Amarattmga

And 12 others
All of Delgahawatta,
Kitulampitiya,
Wakwella.

Defendants

And Now

Yakgaha Hewage Karunapala,
Delgahawatta, Kitulampitiya,
Wakwella.

Plaintiff- Petitioner

-Vs-

1. Dayawathi Amaratunga (Now Deceased)

1 A. Weerabahu Amaratunga
(Substituted in the place of the deceased)

And 11 Others
All of Delgahawatta,
Kitulampitiya,
Wakwella.

Defendant- Respondents

CA 266/98 (F)

DC GALLE 12396/L.

BEFORE: H.N.J. Perera, J.

COUNSEL: Daya Guruge Attorney-at-Law with M.Manohari Perera
Attorney-at-Law for the Plaintiff Appellant.

DECIDED ON: 11.07.2013.

H.N.J. Perera, J.

Court observes that although the notice of appeal has been signed by the appellant's registered attorney, the Petition of Appeal has been filed by the appellant without revoking the proxy of the registered attorney. At this stage Counsel appearing for the appellant moves to withdraw this appeal with liberty to file a fresh application. Application for withdrawal is allowed. Appeal dismissed without cost.

Registrar is directed to send this order with the main case record to the District of Galle.

JUDGE OF THE COURT OF APPEAL.

Mm/-