

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

**C.A. No. 1005/96(F)**

D.C. Gampaha Case No. 34040/L

Galegedara Gamaralalge Somawathi  
Mudungamuwa,  
Weediyawatte,  
Udugampala.

**Appellant**

**Vs.**

Alawathurage Josalin Perera  
Saiyadoluwa,  
Mudungamuwa,  
Weediyawatte,  
Udugampala.

**Respondent**

C.A. No. 1005/96(F)

D.C. Gampaha Case No. 34040/L.

Before : A.W.A. Salam, J. &  
Sunil Rajapakshe, J.

Counsel : S.A.D.S. Suraweera for Defendant-Appellant.

C. Sooriyarachchi with Shamali Arachchige  
for the Plaintiff-Respondent.

Argued &  
Decided on : 21.10.2013.

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A.W.A. Salam, J.

The judgment relevant to this appeal is to be read of consent subject to the following terms. Learned Counsel for the Plaintiff-Respondent pays a sum of Rs. 200,000/= in cash to Gamaralalage Somawathie (Defendant-Appellant) holder of national identity card No. 506551552V dated 15.12.2003. She accepted the payment so made in open court. She acknowledges that the amount tendered to her is correct. In consideration of the money paid in open court she undertakes to retransfer the property in question to the Plaintiff-Respondent Palakuttige Indrani Perera ( holder of NIC bearing No.

685980126V). She undertakes to effect the deed of transfer within a period of one month from today before a Notary Public to be decided by the Plaintiff-Respondent and to be notified by registered post to the Defendant-Appellant with 30 days notice. If the deed of transfer contemplated under this agreement is not effected for whatever reason the Registrar of the relevant District Court is empowered by the parties to effect the transfer. In the event of the Defendant-Appellant failing to effect the transfer, the charges involved in the transfer by Court, will be borne by the Defendant-Appellant. Subject to the above terms the judgment leading to this appeal is varied.

JUDGE OF THE COURT OF APPEAL

Sunil Rajapakse, J.

I agree.

JUDGE OF THE COURT OF APPEAL

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