

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

COURT OF APPEAL NO: 681/98(F)

District Court Kegalle Case No: 3657/L

Kande Ralalage Podinilame,
Dewalagama,
Kahagalla.

Plaintiff - Appellant

Vs.

Mudiyansele Dingiri Mahaththaya,
Kahagalla,
Dewalagama.

Deceased Defendant

Mudiyansele Jinadasa,
Kahagalla,
Dewalagama.

**Deceased Substituted-Defendant
- Respondent**

Mudiyansele Thilakaratne,
Kahagalla,
Dewalagama.

Substituted-Defendant - Respondent

C.A. Appeal No. 681/98(F) - D.C. Kegalle No.3657/L

Before : **K.T. Chitrasiri, J.**

Counsel : Athula Perera for the Plaintiff-Appellant.
Plaintiff-Appellant is present in Court.

Pansy N. Joseph for the Substituted Defendant-Respondent.

Substituted-Defendant-Respondent is present in Court.

Argued &

Decided on : 31.10.2013.

K.T. Chitrasiri,,J.

Both Counsel submit that the dispute in this case has now being settled. Accordingly, they tender a document containing the terms of settlement to which the parties and their respective Attorneys -at-Law have placed their signatures.

The terms of settlement tendered today is accepted. An application to withdraw the appeal also has been made in paragraph 10 of the terms of settlement. Accordingly, having

allowed the application to withdraw, this appeal is dismissed without costs subject to the terms of settlement contained in the document tendered today.

Registrar is directed to file the document containing the terms of settlement into the docket.

Appeal dismissed.

JUDGE OF THE COURT OF APPEAL

/mds