

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

C.A. (PHC) No. 315/2006

P.H.C. Kurunegala No. HCR 70/2005

llandara pathirannehelage sumanathilaka,
lhalagama,
pillessa.

**2nd Party 1st Respondent
-Appellant**

Vs.

W .M.M.N .Mohamed Nusly
No.A 37 A, Muruthewela,
Mawanella.

**2nd Party of the 02nd Party-
02nd Respondent**

Indra Mallika Weragama
Welgala Estate, Weragama,
Kaikawela, Matale.

**Added Party of the 01st Party –
01st Petitioner-Respondent**

Basnayaka Ralalage Gnanatilaka,
Pepolwatta, Tarapotha,
Hindagolla.

**1st Party 02nd petitioner-
Respondent (Deceased)**

Basnayaka Ralalage Lakmal Chathuranga
Pepolwatta, Tarapotha,
Hindagolla.

Petitioner

C.A. (PHC) No. 315/2006

P.H.C. Kurunegala No. HCR 70/2005

BEFORE : **A.W.A.SALAM, J. &**

SUNIL RAJAPAKSHE, J.

COUSNEL : Buddika Jayasinghe for the Added 1st Party-
Petitioner- Respondent

DECIDED ON : 02nd December, 2013.

A.W.A.SALAM, J.

I.P. Sumanathilaka has forwarded an affidavit dated 29th November, 2013 along with a Photostat copy of the National Identity Card bearing No. 541542779 V expressing his desire not pursue the appeal. Relying on the affidavit forwarded by the appellant, this appeal is allowed to be withdrawn and dismissed accordingly.

JUDGE OF THE COURT OF APPEAL

SUNIL RAJAPAKSHE, J.

I agree.

JUDGE OF THE COURT OF APPEAL

mds/=