

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

Case No. 1217/99 (F)

D.C. Kandy Case No.24264 / MR

T.M.Premawardena
No.258, Agasthigoda,
Parathatawella,
Pilimathalawa.

Plaintiff

-Vs-

1. Nimal Abeysuriya,
Morawaththe,
Danthure.

2. Upali Abeysuriya,
Morawaththe,
Danthure.

Defendant - Appellants

C.A.No.1217 /99 (F)

D.C.Kandy No.24264/MR

Before : H.N.J.Perera,J.

Counsel : U.M.D Nayomi with N.Karunarathe for the
Defendant-Appellant.

Manouri Herath for the Plaitniff-Respodent.

Argued and

Decided on : 26.03.2014

H.N.J.Perera,J.

1st Plaintiff – respondent is present in Court. Both Counsel inform Court that this matter has been settled between the parties. The 1st Defendant - appellant agrees to pay a sum of Rs.100,000/- (one lakh) to the plaintiff-respodent a full and final settlement in this case.1st defendant-appellant hand over cash in a sum of Rs.100, 000/- (one lakh) to the plaintiff-respodent in open Court and the plaintiff- respodent accepts the same. Therefore counsel for the Appellant informs Court that

the Appellant does not wish to proceed with this appeal any further and moves to withdraw this appeal. Application for withdrawal is allowed. In view of the above settlement the appeal is dismissed without costs.

Register is directed to send a copy of this order together with the main case record to the District Court of Kandy.

JUDGE OF THE COURT OF APPEAL

WC/-