

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

CASE NO. CA 1190/99 (F)
DC (Gampola) Case No.L/2527

D.G Kularatne
Angamma Estate
Angamma Colony
Gampola

DEFENDANT -APPELLANT

Vs.

Wajira Shirani Gunawardene
Tea maker Residence
Angamma
Gampola

PLAINTIFF- RESPONDENT

C.A. No 1190/99 F

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D.C. Gampola No.2527/L

Before : K.T. Chitrasiri J.

Counsel : Shashika Ariyaratna for the Defendant-Appellant
Ahamed Thowfeek for the Plaintiff-Respondent

Decided on : 03.06.2014

K.T. Chitrasiri J.

Learned Counsel for the Plaintiff-Respondent moves to support the motion dated 30.04.2014. The Judgment in this appeal had been delivered on 10.09.2013. It is a judgment entered upon a settlement arrived at, by the parties to the action. The said judgment is to demarcate the boundary between the Lots 08 and 10 referred to in Plan bearing No.232/86.

However, learned Counsel for the Respondent submits that the Counsel appeared on that date has submitted that Lot No. 10 in that plan belongs to the Defendant Appellant. Today, he informs Court that the said submission as to the ownership to lot 10 referred to above is erroneous and presently the entirety of Lot No.10 is being occupied by several persons who are not parties to this action. Therefore he moves that the words “whilst Lot No. 10 in that plan belongs to the defendant-appellant.” found in the judgment dated 10.09.2013 be deleted.

Counsel for the Appellant has no objection to this application.

Accordingly the words “whilst Lot No.10 in that plan belongs to the defendant-appellant.” found in the 1st paragraph at page 02 in the judgment dated 10.09.2013 are deleted. Accordingly, the judgment dated 10.09.2013 is made effective subject to the aforesaid amendment made today.

Registrar of this Court is directed to send today’s proceedings to the learned District Judge of Gampola for necessary steps.

JUDGE OF THE COURT OF APPEAL

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