

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

CA 425 / 96F

DC Colombo Case No. 34333/MS

1. Multiform interlining Manufacturing
(Lanka) Company LTD.

47 1/1,
Castle Street,
Colombo - 08

2. D.L.S. Shanthi Perera
27/3, Samudrasanna Road,
Mount. Lavinia.

3. D.E. Perera
27/3, Samudrasanna Road,
Mount Lavinia.

Appellants

Vs.

Lanka Orix Leasing Company LTD
312, Galle Road
Colombo- 03

Respondent

C.A. No. 425/1996(F)

D.C. Colombo Case No. 34333/L.

Before : A.H.M.D. Nawaz, J &
H.C.J. Madawala, J.

Counsel : S.R. De Livera appears for Plaintiff-Respondent-Appellant.

Nihal Fernando, P.C., with Amith Silva for
Defendants-Petitioners-Respondents.

Argued &

Decided on : 29.03.2016.

A.H.M.D. Nawaz, J.

Both parties are represented by Counsel.

Both Counsel state that the parties have reached an agreement as to the progress of this appeal. In terms of the motion dated 24.03.2016 the parties have agreed that the withdrawal of this case will not prejudice the Petitioner-Respondent-Appellant's right to receive any sum of money which he may be entitled to receive from the Union Trust and Investment Limited in the District Court of Colombo in case No. 1624/M.

Both Counsel bring to the notice of Court another motion dated 24.03.2016 which embodies the same terms as has been filed in the registry yesterday but it does not seem to have got into the docket as at today. However Counsel tenders to Court a copy of the motion that was filed yesterday. This copy contains the signature of the attorney-at-law for the Respondent-Petitioner-Respondent signifying the assent of the Respondent to the terms of settlement that have been reached between the parties as regards the progress of this case. Consequent to this settlement, parties agree that this matter could be dismissed pro-forma as the Appellant wishes to withdraw this appeal. Accordingly the application for withdrawal is allowed. The appeal stands dismissed pro-forma.

JUDGE OF THE COURT OF APPEAL

H.C.J. Madawala, J.

I agree.

JUDGE OF THE COURT OF APPEAL

AKN