

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

Buddhipala Sirimanne
Respondent-Respondent-Petitioner.

Vs

CA (PHC) APN 52/98
HC Balapitiya 96/97
MC Balapitiya 95364

1. AKS Sumanapala
2. AK Dudey Sumanapala
Petitioner-Petitioner-Respondents

Before : Sisira de Abrew J &
DSC Lccamwasam
Counsel : Palitha Kumarasinghe President's Counsel for the appellant
Faiz Musthapa President's Counsel for the respondents
Argued on : 5.9.2011, 6.9.2011, 7.9.2011, 13.9.2011 and 14.9.2011
Decided on : 9.11.2011

Sisira de Abrew J.

Parties in this case agreed to abide by the order that would be delivered in CA (PHC) 105/99.

I have, in CA (PHC) 105/99, set aside the judgment of the learned High Court Judge dated 16.9.98 and affirmed the judgment of the learned Magistrate dated 4.9.97. Therefore I make order terminating the proceedings of this case.

Judge of the Court of Appeal.

DSC Lecamwasam J

Judge of the Court of Appeal.