

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

In the matter of an application for revision under Article 138 of the Constitution of the Democratic Socialist Republic of Sri Lanka read with section 11(l) of the High Court of the Provinces (Special Provisions) Act, No: 19 of 1990.

K. Jayendran

No: 4, Nelson Lane,  
Colpetty, Colombo 03.

C.A (PHC) APN 46/2019

H.C Colombo HCRA 103/18

M.C Colombo 54196/05

**Respondent-Petitioner-Petitioner.**

Vs.

Sarath Lasantha Vithanage

Municipal Engineering Department

Colombo Municipal Council,

Town Hall, Colombo 07.

**Applicant-Petitioner-Respondent-  
Respondent.**

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W. Dayaratne PC with R. Jayawardena for the  
Applicant-Petitioner-Respondent-Respondent.

**HON. JUSTICE A.L. SHIRAN GOONERATNE,**

The learned Counsel for the Petitioner-Respondent-Respondent has no objection to the said application.

Accordingly, we set aside the order dated 07.05.2019 delivered by the learned High Court Judge and direct that this matter be re-listed and determined on its merits.

Application allowed.

**JUDGE OF THE COURT OF APPEAL.**

**Hon. Justice Dr. Ruwan Fernando.**

I agree.

**JUDGE OF THE COURT OF APPEAL.**

Vkg/-