

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

**CA PHC 105/2005**

PHC Balapitiya 525/2003

01. Kallapana Widanage Hemawardane
02. Kallapana Widanage Roshan

All Are

“Dinendra “,  
Kallapana,  
Thalagaspe.

**Petitioner**

**Vs.**

Salpadoru Thuppahiye Somalatha  
Galkadulla Road,  
Thalagaspe.

**Respondent**

CA(PHC)105/ 2005

PHC Balapitiya Case no: 525/2003

BEFORE : Ms. Rohini Marasinghe,J. &  
Ms. Deepali Wijesundera,J.

COUNSEL : Parties are absent and unrepresented.

ARGUED ON : 05.11.2012

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Ms. Rohini Marasinghe,J.

Parties have been noticed to pay brief fees. 1<sup>st</sup> Respondent has paid brief fees. The Petitioner has not complied with Rule 13 (b) of the Supreme Court. Therefore appeal is dismissed.

Registrar is directed to send a copy of this order to the relevant Court forthwith.

JUDGE OF THE COURT OF APPEAL

Ms. Deepali Wijesundera,J.

I agree.

JUDGE OF THE COURT OF APPEAL

Jmr/-