

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

**CA PHC 198/2005**

PHC Kegalle 1526/APL

Karunanayake Mudiyanseelage Inganthalake  
Public Transport Service,  
Dipowa Alauwa,  
Alauwa.

**APPELLANT**

**Vs.**

Hon. Attorney General  
Attorney General's Department,  
Colombo 12.

OIC  
Police Station,  
Alauwa.

**RESPONDENTS**

C.A.No.(PHC) No.198/05

P.H.C.Kegalle No.1526/APL

Before : **Rohini Marasinghe, J.**  
**Deepali Wijesundera, J.**

Counsel : Appellant is absent and unrepresented.  
Anoop de Silva SC for the Respondent

Decided on : 13.12.2012.

**Rohini Marasinghe, J.**

This Court directed the appellant to pay brief fees on or before 12.12.2012 and to be present in Court on 13.12.2012. The appellant had not paid the brief fees upto date. The appellant is absent and unrepresented. We therefore hold that the appellant had not exercised due diligence to prosecute this appeal.

We acting under Rule 34 and 13(b) o the Supreme Court Rules dismiss the appeal.

Appeal is dismissed.

JUDGE OF THE COURT OF APPEAL

**Deepali Wijesundera, J.**

I agree.

JUDGE OF THE COURT OF APPEAL

KLP/-