

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

CA PHC 202/2005

PHC Kegalle (Rev) 1818

Hewayalage Piyasena
Kadu Sewanagi,
Puranpotte,
Batuwita.

W. Enga

Hewayalage Karunasena

Emage Smith

Appellant

Vs.

Wahampurage Soida
Puranpotte,
Batuwita.

Liyanage Nyanasena

Liyanage Seelawathi

Liyanage Herath

Liyanage Wimalasena

Katawalage Sarath Wijesiri

Respondents

C.A.No.(PHC) No.202/05

P.H.C.Kegalle No.1818/Rev

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

Counsel : Appellants are absent and unrepresented.
S.Jayathilake for 1st party 17th Respondent-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 appellants have not paid the brief fees upto date. The appellants are absent and unrepresented. We therefore hold that the appellants have 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/-