

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

W.M Thilakawathi Kumarihamy
Thammennagama,
Polptigama.

CA 257/2000
DC. Maho.No. 3265/L

Substituted Defendant Appellant

Vs.

A.M.H. Amarasingha Kumarihamy
Thammennagama,
Polptigama.

Plaintiff - Respondent

CA. No. 257/2000(F)

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DC. Maho.No. 3265/L

Before: : **Upaly Abeyrathne, J**

Counsel: : Rohan Sahabandu with Ms. Samithrie Kumarawadu for the Substituted Defendant-Appellant.

Decided on: : **25.09.2012**

Upaly Abeyrathne, J

Learned counsel for the appellant informs Court that she has no instructions to appear on behalf of the appellant. Appellant has not paid the brief fees. Hence the Registrar of this Court was directed to issue notice under Rule 13(b) of the Supreme Court (Court of Appeal-Appellate Procedure-copies of Records) Rule-1978 directing the appellant to pay the brief fees on or before 10.09.2012.

Accordingly a notice under said rules has been sent to the said appellant directing him to pay the brief fees on or before the said date. The appellant has failed to comply with the said direction given by this Court. Hence I reject the appeal of the appellant without costs.

The Registrar is directed to send the main record to the relevant District Court.

Appeal rejected.

Judge of the Court of Appeal

kpm/-