

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

CA (PHC) 66/2005

PHC Negombo 225/2004

Rosalin Niluka Sathyarani
No:55, Shantha Mariya Road,
Hilwatiya,
Wattala.

Appellant

Vs.

Office in-charge
Police Station
Paliyagoda

Hon.Attorney General
Attorney General's Department
Colombo 12

Respondents

C.A. (PHC) 66/2005 : PHC Negombo Case No.
225/2004

Before : Sisira de Abrew, J. &
K.T. Chitrasiri, J.

Counsel : Appellant is absent and unrepresented
Mrs. S. Thiranagama, ASA for the
respondents.

Decided on: 03.10.2012

Sisira de Abrew, J.

O.I.C., Peliyagoda is present.

This Court directed the appellant to pay brief fees on or before 02.10.2012. The Registrar of this Court, in compliance with the said order, by his letter dated 24.08.2012, directed the appellant to pay brief fees on or before 02.10.2012 and to be present in this Court on 03.10.2012 (today). The said letter which has been sent to the address given by the appellant in the Petition of Appeal has been returned by the relevant Post Office with an endorsement that the appellant is not at the

address given. The appellant, after filing this appeal, has not furnished any new address to this Court. She has not paid brief fees. In these circumstances, we hold that the appellant does not exercise due diligence to prosecute this appeal. We therefore acting under rules 34 and 13(b) of the Supreme Court Rules, dismiss the appeal.

Appeal dismissed.

JUDGE OF THE COURT OF APPEAL

K.T. Chitrasiri,J.

I agree

JUDGE OF THE COURT OF APPEAL

Cr/-