

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

CA Application No: **CA Writ 08/11**

Premanayakage Saman Kumara,  
No: 25,  
60<sup>th</sup> Acre,  
Periyaulankulam,  
Vavuniya.

**Petitioner**

**Vs**

Lt Q.M.W.A.J. Wijesooriya  
(Quarter Master, Stores Sections 5 BN SLEME)  
Sri Lanka Electrical and Mechanical Engineers,  
P.O.Box 553,  
Parsons Road,  
Slave Island,  
Colombo 2.

And 07 Others

**Respondent**

**C.A.No.08/2011 (Writ)**

**Before** : Sri Skandarajah,J.(P/CA)

**Counsel** : Javed Mansoor with M.C.Piyumi Kumari  
for the Petitioner.

Anusha Samaranayake SSC for  
Respondent

**Argued and  
Decided on** : 11.09.2012.

**Sri Skandarajah,J. (P/CA)**

Counsel for the Petitioner who supports this application informs Court that he has not received any communication from his client and as such he has not filed counter affidavit to the objections filed. Even though he made several attempts to contact his client through his Registered Attorney, the client has not responded to his request to give instructions to appear and argue this case.

In view of the fact that, the petitioner has not shown due diligence to prosecute this application. This Court dismisses this application without costs.

**PRESIDENT OF THE COURT OF APPEAL**

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