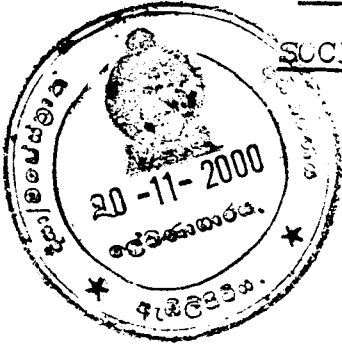


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IN THE COURT OF APPEAL OF THE DEMOCRATIC  
SOCIALIST REPUBLIC OF SRI LANKA.



In the matter of an Appeal in  
terms of Section  
of the Civil Procedure Code.

C.A. Appeal No:  
D.C. Embilipitiya  
Case No. 5644/L.

Mahahannadige Jayasena  
"Samagi" Fancy House,  
Karyala Mawatha,  
Suriyawewa Town.

Plaintiff.



VS.

A.R. Wimalasena  
Mahagama Kade  
Suriyawewa Town.

Defendant.

2000. 11. 20

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[Signature]

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Mahahannadige Jayasena,  
"Samagi" Fancy House,  
Karyala Mawatha,  
Suriyawewa Town,

Plaintiff/Appellant

VS.

A.R. Wimalasena,  
Mahagama Kade  
Suriyawewa Town.

Defendant/Respondant

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C.A. 1378/00 (F)

D.C. Embilipitiya Case No: 5644/L.

BEFORE : Upaly Abeyrathne, J.

COUNSEL : Appellant and the Respondent are absent and  
unrepresented.

DECIDED ON : 16.02.2012

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Upaly Abeyrathne, J.

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 15.02.2012. Accordingly on notice under said Rule has been sent to the said Appellant directing him to pay the brief fees on or before the said date. Said notice has been returned by the postal Authority with an endorsement that there is no such person at the given address. I have noted that the Appellant has not notified the Registrar of this Court of any change of his address.

In the said circumstance I am of the view that the Appellant has failed to comply with the said direction given by this Court. Hence I acting under

said Rules reject the appeal of the Appellant without costs. Registrar of this Court is directed to send the main record to the relevant District Court with the order made by this Court.

*Appeal rejected.*

JUDGE OF THE COURT OF APPEAL

NR/-