

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

CA PHC 161/2005

PHC Galle 240/2003

Gerty Suriya Arachchi
No: 269,
"Susara",
Ma Gedara,
Yakkamulla.

Appellant

Vs.

Siyabalagoda Kandamithge Jayath Chaminda
Wilehena,
Ma Gedara,
Yakkamulla.

Siyabalagoda Kandamithge Buddhapala

Respondent

C.A. (PHC) 161/2005

PHC- GALLE - 240/2003 - 36.

Before : A.W.A. Salam J. &
Deepali Wijesundera, J.

Counsel : 1st Respondent Petitioner Appellant absent and
unrepresented.

Charith Jayasinghe for Respondent.

Decided on : 16.10.2012.

A.W.A. Salam J.

Notice has been issued on the appellant by registered post requiring the payment of brief fees on or before 15.10.2012 and he has also been directed to appear today. As the brief fees have not been deposited this appeal is dismissed in terms of Rule 13(b) of the preparation of appeal brief-Court of Appeal-1978.

JUDGE OF THE COURT OF APPEAL.

Deepali Wijesundera, J.

I agree,

JUDGE OF THE COURT OF APPEAL.

Mm/-.