

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

CA Appeal No.183/98(F)

DC Matale 3683/L

Mohommadu Abdul Kareem

Saladeen Napidu Niya

Both are

Ukuwela

Complainants

Vs.

Ritigahamula watte Gedara Suraba

Madawala,

Ulpatha,

Katawala.

Defendant

C.A.Appeal No.183/98(F)

D.C.Matale 3683/L

Before : K.T.Chitrasiri, J.

Counsel : Parties are absent and unrepresented.

Argued &

Decided on : 01.02.2013

K.T.Chitrasiri, J.

The Registrar of this Court has issued notices on the defendant-appellant as well as to his Registered Attorney on several occasions directing them to be present in this Court to proceed with this appeal. In the journal entry made on 05.11.12, it is stated that the notices sent to the defendant-appellant had been returned with an endorsement that he has passed away. Notice sent to the Registered Attorney had also been returned with an endorsement that he has left the country.

In the circumstances, this Court is unable to proceed with this appeal. Accordingly, Court makes an order abating the appeal.

Appeal abated and accordingly the proceedings in this Court are terminated.

Proceedings terminated.

JUDGE OF THE COURT OF APPEAL

KLP/-