

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

**CA. Appeal No.1319/2000(F)**

D.C. Galle No.11471/P

Dona Rathwath Gamage  
Dangala,  
Alapaladeniya.

**Appellant**

**Vs.**

Piyaseeli Sumanadasa  
(Before Marriage)  
Piyaseeli Dahanayaka Yapa  
Waralla.

**Respondent**

C. .A. Appeal No.1319/2000(F) - D.C. Galle No.11471/P

Before : **UPALY ABEYRATHNE, J.**

Counsel : Defendant-Appellant is absent and unrepresented.

Sadamal Rajapaksa for the Plaintiff-Respondent

Decided on : 30.01.2013.  
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**Upaly Abeyrathne, J.**

Learned Counsel for the Plaintiff-Respondent informs Court that the Appellant has failed to take steps for substitution in place of the deceased plaintiff-respondent. It appears from the docket that the appellant has noticed on several occasions. But the appellant has not shown due diligence in prosecuting this appeal. Hence this appeal is abated.

Registrar is directed to send the record to the relevant District Court.

*Appeal abated.*

**JUDGE OF THE COURT OF APPEAL**

/mds