

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

**C.A. Appeal No. 1372/99(F)**

DC. Kegalle No 23465/P

Nandawathi  
Thubaliyadda,  
Warakapola.

**Appellant**

**Vs.**

M.A.K. Wanchanayaka Kithsiri  
Thubaliyadda,  
Warakapola.

**Respondent**

C.A. Appeal No. 1372/99(F) - DC. Kegalle No 23465/P

**Before:** A.W.A. Salam, J &  
Sunil Rajapakshe, J

Counsel: Appellant absent and unrepresented.

Decided on: 13.03.2013

\*\*\*

**Salam, J**

The appellant has been notified with copy to the Registered A/A/L by notice dated 04.06.2001 to deposit the brief fees on or before 04.07.2001. Both notices have not been returned by the Postal Authorities and therefore presumed to have reached the addressee. As the appellant has failed to deposit brief fees, this appeal is now rejected in terms of Rule 13(b) of the preparation of appeal briefs- Court of Appeal-1978.

**Judge of the Court of Appeal**

**Sunil Rajapakshe, J**

I agree.

**Judge of the Court of Appeal**

Kpm/-