

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

CA 255/99(F)

D.C. Colombo Case No: 3030

M.M. Gunapala
Kithsiri Hardware Stores,
Station Road,
Higurakgoda.

Appellant

Vs.

The Finance (Pvt) Ltd
3rd Floor,
No: 69,
Janadipathi Mawatha,
Colombo 01.

Respondent

dismissed the action based on the ground that the vehicle in question had never been seized by the defendant and that the appellant has failed to establish that he has suffered damages as a result of the vehicle being handed over to the defendant by the appellant. Having perused the entirety of the judgment and the approach adopted by the learned District Judge, it appears that the findings of the learned District Judge on the issues are consistent with the evidence led at the trial. As such I do not see any grounds which merit in favour of the appellant. Hence this appeal stands dismissed without costs.

JUDGE OF THE COURT OF APPEAL

Sunil Rajapakse,J.

I agree.

JUDGE OF THE COURT OF APPEAL

Jmr/-