

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

CA/911/1998/F

D.C. (Kegalla) No.: 1492/L

Varusha Devage Babanis, (deceased)
Gabbala,
Rambukkana.

Plaintiff- Appellant

Varsa Devayalage Somawathi
Gabbala,
Rambukkana

Substituted Plaintiff-Appellant-Petitioner

Vs.

- I. Rajakandatha Gedara amindu
(deceased)
Gabbala.
Ramhukkana.

- IA. Morathannalage Kiri Belgoda Kanda,
Vallagolla,
Kosgolla, Katupitiya,
Kurunegala.

And others

Defendant-Respondent-Respondents.

C.A. 911/98 (F) **D.C. Kegalle Case No: 1492/L**

BEFORE : K.T. Chitrasiri, J.

COUNSEL : Thishya Weragoda for the Substituted Plaintiff-
Appellant-Petitioner.

DECIDED ON : 17.05.2013

K.T. Chitrasiri, J.

Counsel for the Substituted Plaintiff-Appellant supports the motion dated 19.03.2013. Counsel supporting the petition filed with the said motion submits that it is difficult to trace the heirs of the deceased 1A and 1C substituted Defendant-Respondents to have them substituted in the room of those two Defendants. Without having particulars of the persons sought to be substituted, I do not see any reason to have this appeal re open. Therefore the application made in the petition dated 19.03.213 is rejected.

JUDGE OF THE COURT OF APPEAL

NR/-