

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

**CA 79/2000 (final)**

DC Matara Case No 6205/M

Mohammed Ismail Sheik Salahudeen  
No 21, Mahamaya Mawatha,  
Matara.

**Plaintiff Appellant**

**Vs.**

Bandula Ranjith Ekanayake  
11 "Chandana" ,  
Werahena Road,  
Kakunadura,  
Matara.

**Defendant Respondent**

Draft

C.A 79/2000(F) : D.C. Matara Case No. 6205/M

Before : Upaly Abeyrathne,J.

Counsel : Plaintiff-Appellant is absent and unrepresented  
Deeptha Perera with Deshani Jayathilake for the  
Defendants- Respondents

Decided on : 08.05.2013

Upaly Abeyrathne,J.

According to the Fiscal Report, the Plaintiff-Appellant has died. It is revealed from the said Fiscal Report that the daughter of the Plaintiff-Appellant has informed the fiscal that her father, the Plaintiff-appellant has died. Said daughter is not present before Court. It also appears from the said conduct that the heirs of the Plaintiff-Appellant are not interested in prosecuting this appeal.

In the said circumstances, I dismiss the appeal of the Plaintiff-appellant without costs.

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

JUDGE OF THE COURT OF APPEAL

Cr/-