

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

C.A (PHC) 178/2000

HCR/RA 118/96

Ratnapura primary Court No: 15628

P .A.P Mhinda Abesekara
No 17,
Mosque road,
Ratnapura,

02nd party -Petitioner-Appellant

Vs.

01. T. Galappaththi

02. A.M David silva

Both of themone,
No45,
Collin cresant
Getanagama,
Ratnapura

**01st party Respondent-Respondent
And intervenient Respondent-
Respondents**

C.A. (PHC) No. 178/2000

P.H.C. Ratnapura No. 118/96

BEFORE : A.W.A. SALAM, J. &
SUNIL RAJAPAKSHE, J.
COUNSEL : Appellant absent and unrepresented.
Sunil Jayakody instructed by Mrs. Dushyantha Senarath for the 1st party –respondent-respondent.

ARGUED AND

DECIDED ON : 20th May, 2013

A.W.A. SALAM, J.

As per minute dated 14.06.2011 Mr. Udaya Bandara, Attorney-at-Law, on behalf of the appellant had intimated to Court of the death of his client and undertaken to effect substitution. Since two years have lapsed and no steps taken, this appeal stands abated subject to the right reserved in the legal heirs of the appellant to make an application for re-listing.

JUDGE OF THE COURT OF APPEAL

SUNIL RAJAPAKSHE, J.

I agree.

JUDGE OF THE COURT OF APPEAL

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