

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

C.A.362/98 (F)

D.C. Matara Case No.7107/L

Wellalage Premalatha Wimalaseeli,
42,Lumbini Mawatha,
Dalugama,Kelaniya.

Presently of

No.15/5
Dalupi tiya Road,
Kadawatha,
Mihindu Mawatha"
Mahara,

Plaintiff

Vs.

Horaduwa Arachchige Somapala,
315,Matara Road,
Weligama

Defendant

AND

Wellalage Premalatha Wimalaseeli
42, Lumbini Mawatha,
Kelaniya

Plaintiff-Appellant

Vs.

Horaduwa Arachchige Somapala.
315,Matara Road,
Weligama

Defendant-Respondent

C.A. 362/98(F) : **D.C. Matara Case No.7107/L**

Before : K.T. CHITRASIRI, J.

Counsel : Parties are absent and unrepresented

Decided on : 09.09.2013

K.T. CHITRASIRI, J.

Consequent to the preparation of briefs, the Registrar of this Court has sent notices to the Appellant and to her Attorney-at-Law as well as to the Defendant-Respondent. Neither of them are present in Court nor are they being represented by an Attorney-at-Law. Those notices had been sent under registered cover. Notice sent to the Plaintiff-Appellant had been returned with the endorsement that there is no such person at the given address. When this matter was mentioned on 28.07.2011, Counsel for the Defendant-Respondent had informed Court that both the Plaintiff-Appellant and her Registered Attorney are dead. In those circumstances, this appeal cannot be taken up for hearing.

In the circumstances, this Court makes an order abating the appeal. The Registrar is directed to send the original record back to the District Court of Matara.

Appeal is abated.

JUDGE OF THE COURT OF APPEAL

Cr/-