

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

**C.A. Appeal NO.1387/99-(f)**

D.C. Polonnaruwa case No.6066/L

Dickowita Kankanamlage Chandrapala  
D 41, Weheragala Kaudumulla, (Via Polonnaruwa)

**Plaintiff**

**Vs.**

N.M. Biso Menike  
No. 227,  
Kusum pokuna,  
Diulkadawala.

**Defendant**

**And**

Dickowita Kankanamlage Chandrapala  
D 41, Uehoragala Kaudumulla (Via polonnaruwa)

**Plaintiff-Appellant**

**Vs.**

D.M. Biso Menike  
No. 227,  
Kusum Pokuna,  
Diulkandawala.

**Defendant-Respondent**

C.A. No. 1387/99(F)

D.C. Polonnaruwa No.6066/L

BEFORE : **H. N. J. PERERA, J.**

COUNSEL : Plaintiff- Appellant is absent and  
unrepresented.  
E.R.S.R. Coomaraswamy (Jr.) for the defendant-  
respondent

DECIDED ON : 13<sup>th</sup> September, 2013

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H. N. J. PERERA, J.

The plaintiff-appellant is absent and unrepresented.

The plaintiff-appellant is dead in this case and Court had issued notices on the heirs of the deceased plaintiff-appellant. Notice had been served on M.R. Somawathi, party sought to be substituted. She is not present in this Court today. This Court is of the view that the heirs of the deceased plaintiff-appellant is not interested in prosecuting this appeal. Therefore, this Court makes order abating this appeal.

Appeal abated.

Registrar is directed to send a copy of this order with the original case record to the District Court of Pollonnaruwa.

JUDGE OF THE COURT OF APPEAL

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