

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

Case No: CA/488/98(F)

Colonel F. J. G. Caspersz (Deceased)
"Claremont", No: 80,
K. Cyril C. Perera Mawatha,
Kotahena, Colombo - 13.

L. J. B. Caspersz,
No: 10/1, 14th Lane,
Kotahena, Colombo - 13.

Mary D. Lily de Silva,
P. Juliya Francis de Bond,
11 th Lane, College Street,
Kotahena, Colombo - 13.

E. Caspersz,
"Claremont", No: 80,
K. Cyril C. Perera Mawatha,
Kotahena, Colombo - 13.

Cedric Atkinson
Mrs. Mary Sperpanchy
Karl de Fry

PLAINTIFFS-APPELLANTS

-Vs-

Mrs. Mano Anandappa,
No: 158, Nayakakanda Road,
Hendala.

**SUBSTITUTED-
DEFENDANT- RESPONDENT**

C.A. Appeal No. 488/98(F)

- DC. Negombo No. 1109/RE

Before: : **Upaly Abeyrathne, J**

Counsel: : Plaintiff-Appellant is absent and unrepresented.

B.S.U. Fernando for the Substituted-Defendant-Respondent

**Argued &
Decided on:** : **07.10.2013**

Upaly Abeyrathne, J

It appears from the minutes that the appellant has been given several dates to take steps for substitution. But the appellant is absent and unrepresented. Hence it seems that the appellant or the heirs of the appellant has failed to show due diligence in taking necessary steps for the purpose of prosecuting this appeal. In the said circumstances, I dismiss the appeal of the appellant without costs.

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

Appeal dismissed.

Judge of the Court of Appeal

Kpm/-