

**IN THE COURT OF APPEAL OF THE DEMOCRATIC  
SOCIALIST REPUBLIC OF SRILANKA**

**C.A 148/2000 (F)**

D.C Maho 3935/L

R.I.B. Karunaratna

R.I.B. Jinadasa

R.I.B. Jayasena

**1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup> Defendant Appellant**

**Vs.**

H.P. Dingiriya  
Wadurassa,  
Maho.

**Plaintiff Respondent**

**C.A 148/2000 (F).**

**D.C Maho 3935/L**

Before : Upaly Abeyrathne, J.

Counsel : 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Defendant –Appellants are absent and unrepresented.

Argued & decided on : 21.10.2013.

**Upaly Abeyrathne, J.**

1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Defendant –Appellants are absent and unrepresented. According to the fiscal report notices have been served on the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Defendant-Appellants. It also appears from the said fiscal report that the 1<sup>st</sup> and 3<sup>rd</sup> Defendant-Appellants have died. It seems that the heirs of the Defendant-Appellants have not shown due diligence in taking necessary steps for the purpose of prosecuting this appeal. Hence I dismiss the appeal of the Appellants without costs.

Registrar is directed to send the main record to the District Court of Maho.

**JUDGE OF THE COURT OF APPEAL**

Vkg/-