

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

**C.A. Appeal No: 888/2000 F**  
D.C. Kalutara Case No: 5604/P

Mohamed Zain Mohamed Nizam.  
No: 3/465. Galle Road,  
Kalutara South.

Mohamed Shafi Mohamed Illiyas.  
Hill Street, Kalutara South.

**5<sup>TH</sup> AND 7<sup>TH</sup> DEFENDANTS-  
APPELLENTS- PETITIONERS**

**Vs.**

Mohamed Abubucker Mohamed Faiz.  
No: 465/2, Galle Road,  
Kalutara South.

**1A AND 2<sup>ND</sup> PLAINTIFF-  
RESPONDANT -RESPONDENT**

1. Mohamed Abubucker Mohamed Fairros.  
Katukurunnda, Kalutara -South.
2. Mohamed Ameer Hadjiyar Mohamed Abiquhafa.  
Katukurunnda, Kalutara South. [now deceased]
3. Mohamed Mohamud Sanooz.  
Katukurunnda, Kalutara South. [Deceased]

And Others

**DEFENDANTS-RESPONDENTS-  
RESPONDENTS**

**CA 888/2000(F)**

**D.C.(Kalutara)5604/P**

**Before** : **Upaly Abeyrathne,J**

**Counsel** : Parties are absent and unrepresented.

**Decided on** : 18.11.2013

**Upaly Abeyrathne, J**

Parties are absent and unrepresented. The appellant has been directed to file papers for substitution. He has not done so. It seems that appellant has not shown due diligence in taking necessary steps for the purpose of prosecuting this appeal. In the circumstances, I dismiss the appeal of the appellant without costs. Registrar is directed to send the original record to the relevant District Court.

**Judge of the Court of Appeal**

Na/-