

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

**C.A. NO. 659/98(F)**

D.C.Ratnapura No. 11537/M.

Hon. Anton Tennakoon Basnayaka Nilame  
Sabaragamuwa Maha Saman Devalaya,  
Rathnapura

**Appellant**

**Vs.**

N.K. Premasiri  
Rathnapura

And others

**Respondents**

C.A. NO. 659/98(F)

D.C.Ratnapura No. 11537/M.

BEFORE : K. T. CHITRASIRI, J.

COUNSEL : Appellant is absent and unrepresented.

Ms. Purnima Gunasekera watching the interests of the heirs of the deceased 4A defendant-respondent

DECIDED ON : 12<sup>th</sup> December, 2013

K. T. CHITRASIRI, J.

Counsel, Ms. Purnima Gunasekera watching the interests of the heirs of the 4A defendant-respondent informs Court that the 4A defendant-respondent has passed away. The person who is present in Court on behalf of the deceased 4A defendant-respondent informs Court that the plaintiff-appellant too is dead. No appearance is made on behalf of the heirs of the deceased plaintiff-appellant.

Notices had been sent to the appellant and to the registered Attorney of the appellant under registered cover by the Registrar of this Court directing them to be present in this Court today. The notice sent to the Registered Attorney of the appellant had been returned with the endorsement that she has left the given address. Therefore, no further steps can be taken by this Court. In the circumstances, Court makes order abating the appeal.

*Appeal is abated.*

Kwk/=

JUDGE OF THE COURT OF APPEAL