

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

C.A.686/2000 (F)

D.C. Kandy Case No. 14594/L

Sisiliya Rajapakshe
Harispattuwa.

**SUBSTITUTED - DEFENDANT -
APPELLANT**

-Vs -

Nalani Gunawardana
Upper Dock Estate,
Nawodapitiya.

PLAINTIFF - RESPONDENT

C.A. 686/2000(F) : D.C. Kandy Case No. 14594/L

Before : Upaly Abeyrathne,J.

Counsel : Substituted Defendant-Appellant is
absent and unrepresented

N.D. Kuruwitabandara for the Plaintiff-Respondent

Decided on : 29.01.2014

Upaly Abeyrathne,J.

Substituted Defendant-Appellant, Sisiliya Rajapakshe is absent and unrepresented. She has been properly noticed by this Court. The learned counsel for the Respondent informs Court that the Respondent also has died. It seems to me that the Appellant has not shown 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.

Registrar is directed to send the Main Case Record to the relevant District Court.

Appeal dismissed.

JUDGE OF THE COURT OF APPEAL

Cr/-