

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

**C.A No: 829/2000(F)**

D.C.Kuliyapitiya Case No: 6154/L

Bamunu Achchi Kankanamalage  
Podihamine,  
Siyambalawalane,  
Giriulla.

**1<sup>st</sup> DEFENDANTAPPELLANT**

**-Vs -**

Bamunu Achchi Kankanamalage Karunaratne,  
Siyambalawalana,  
Giriulla.

**PLAINTIFF - RESPONDENT**

Wijekoonralalage John Singho,  
Siyambalawalana,  
Giriulla.

**2<sup>nd</sup> DEFENDANTRESPONDENT**

C.A. 829/2000(F) : D.C. Kuliypitiya Case No. 6154/L

Before : Upaly Abeyrathne,J.

Counsel : 1<sup>st</sup> Defendant-Appellant is absent & unrepresented.

Jacob Joseph with Sandamali Madurawala for the Plaintiff-

Respondent

Decided on : 30.01.2014.

Upaly Abeyrathne,J.

1<sup>st</sup> Defendant-Appellant is absent & unrepresented. He has not filed papers for substitution in place of the deceased 2<sup>nd</sup> Defendant-Respondent. The Appellant has taken several dates to file papers for substitution. But she has not shown due diligence in taking necessary steps for the purpose of prosecuting this appeal. In the said circumstances, this appeal is dismissed 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/-