

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

C.A. Appeal No.307/98 (F)

D.C. Embilipitiya No. 2768/L

P.A. Simmiyon Appuhami

Anula Hadapangoda
Kadapola,
Kolonna.

Petitioners

Vs.

Gunawathi Rajapakshe
Kolonna.

Respondents

C.A. Appeal No.307/98 (F) - D.C. Embilipitua No. 2768/L

Before : **K.T. CHITRASIRI, J.**
Counsel : Parties are absent and unrepresented.
Decided on : 02.04.2014.

K.T. Chitrasiri, J.

The Registrar of this court has sent notices to the 2nd defendant-appellant and to the plaintiff-respondent under registered cover, directing them to be present in this court today. They are absent and unrepresented. Those notices have been returned and are filed in the docket. The notice sent to the 1st defendant-appellant had been returned with the endorsement that he is dead. The notice sent to the 2nd defendant-appellant has been returned with the endorsement that the addressee has refused to accept the notice. The notice sent to the plaintiff-respondent is also returned with the endorsement that she also has refused to accept the notice.

Under those circumstances, it is seen that all the parties to the action are not inclined to proceed with this appeal. Accordingly, court makes order abating the appeal.

Appeal abated.

JUDGE OF THE COURT OF APPEAL

/mds