

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

C.A. No. 662/98 F

D.C.Ratnapura Case No. 11536/M

Anton Thennakoon Basnayake Nilame
Sabaragamuwa Maha Saman Devalaya,
Rathnapura.

Petitioners

Vs.

N. J. Premasiri

And others

Respondents

BEFORE : K.T. Chitrasiri J.
COUNSEL : Parties are absent and unrepresented
ARGUED &
DECIDED ON : 03.04.2014

K.T. CHITRASIRI J.

A person by the name of G.A.D.M Perera is present in Court and he informs that the 4th Defendant-Respondent is his mother, 5th Defendant-Respondent is his uncle and the 6th Defendant-Respondent is his Aunt. He also informs that the 5th Defendant-Respondent is dead. The person who is present in Court also informs that the Plaintiff -Appellant is also dead.

The Registrar of this Court has sent notices to all the parties and to their Registered Attorneys under registered cover informing them to be present in this Court today. Those notices, except for the notice sent to the 1st Defendant-Respondent, had not been returned. The notice sent to the 1st Defendant-Respondent had been returned with the endorsement that there is no such person at the given address. In the circumstances this appeal cannot be taken up for argument since no one is present to look after the interest of the appellant who is supposed to have dead. Therefore, Court makes an order abating the appeal.

Appeal is abated.

JUDGE OF THE COURT OF APPEAL

.CN/-