

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

**C.A. No. 238/99F)**  
D.C. Kalutara Case No.3245/D

H.D. Gamini Jayalal Moragoda  
No: 06/15,  
Moratuwa.

**DEFENDANT- APPELLANT**

**-Vs-**

S.D. Mallika Jayasundara  
No:733,  
I.D.H. Road,  
Nagoda,  
Kalutara.

**RESPONDENT**

**C.A. No. 238/99F)**

**D.C. Kalutara Case No. 3245/D**

**Before** : **H.N.J. Perera, J.**  
**Counsel** : Parties are absent and unrepresented.  
**Decided on** : 09.05.2014.

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**H.N.J. Perera, J**

Court has issued notice to the Defendant-Appellant through the fiscal of the District Court of Kalutara and the Fiscal has reported that said Defendant-Respondent has left the country. Therefore this Court is of the view that the Defendant-Appellant is not interested in pursuing this appeal. Therefore this Court makes order dismissing this appeal of the Defendant-Appellant without costs.

Registrar is directed to send a copy of this order together with the original case record to the District Court of Kalutara.

JUDGE OF THE COURT OF APPEAL

AKN