

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

CA 1127/98 (F)
DC KURUNEGALA 5342/L

A.A.S. Amarasinghe

Appellant

Vs.

D.D.S. Gunasekara

And another

Respondent

CA 1127/98 (F)

DC KURUNEGALA 5342/L

BEFORE: K.T. Chitrasiri, J. &
W.M.M. Malinie Gunaratne, J.

COUNSEL: Petitioner-Appellant is absent and
unrepresented.
Defendant-Respondent is absent and
unrepresented.

DECIDED ON: 04.08.2014.

K.T. Chitrasiri, J.

When this matter was taken up on the last date i.e. 08.07.2014, Counsel who appeared for the appellant moved for a date to file substitution papers in order to substitute the heirs of the deceased Defendant-Respondent. However neither the appellant nor his Counsel is present today. Accordingly, it is seen that the appellants are not taking steps to effect the substitution to substitute the heirs of the deceased Defendant-Respondent. Unless the aforesaid substitution is effected this appeal cannot be listed for argument. In the circumstances Court makes an order abating the appeal.

Appeal abated.

JUDGE OF THE COURT OF APPEAL.

W.M.M. Malanie Gunaratne, J.

I agree.

JUDGE OF THE COURT OF APPEAL.

Mm/-.