

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

CA (PHC) 101/2004

D. Dilson Nevil
Baseline Road,
Katana.

Appellant

Vs.

Hon. Attorney General
Attorney General's Department,
Colombo 12.

Respondent

C.A. (PHC) No. 101/2004

P.H.C. Negombo Case No. HCA 254/02

Before : K. T. Chitrasiri, J &
W.M.M. Malinie Gunarathne, J.

Counsel : Accused-Appellant is absent and unrepresented.
Anoopa de Silva, S.S.C., for A.G.

Argued &
Decided on : 05.09.2014.

K. T. Chitrasiri, J.

The Registrar of this Court has sent a notice to the appellant directing him to pay the brief fees. The said letter had been sent to the address given in the petition of appeal under registered cover. However, the appellant has not paid the brief fees. Therefore acting under rule 13(b) of Supreme Court Rules this Court makes an order rejecting the appeal. At this stage it is necessary to note that this an appeal filed to challenge the decision where the High Court Judge has exercised appellate powers. In terms of the decision in Wickremasekera Vs. O.I.C. Police Station Ampara, (2004 (1) SLR 257) this Court has no jurisdiction to entertain such an appeal. Appeal rejected.

Appeal rejected.

JUDGE OF THE COURT OF APPEAL

W.M.M. Malinie Gunarathne, J.

I agree.

JUDGE OF THE COURT OF APPEAL

AKN