

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

Ediriarachchige Saman alias Saman Kumara  
Welikada Prison  
Colombo 8

**Accused - Petitioner**

**Court of Appeal Case No.**

**CA/PHC/APN/0052/21**

**Mathara High Court**

**Case No. HC 36/2004**

**Vs.**

Hon. Attorney General  
Attorney General's Department  
Colombo 12

**Complainant - Respondent**

Before : **Hon. Justice Menaka Wijesundera**  
**Hon. Justice Neil Iddawala**

Counsel : C. Sooriyaarachchi for the Petitioner.

Decided on : 08/08/2022

**Hon. Justice Menaka Wijesundera**

This matter has been fixed for support 1<sup>st</sup> on 29/10/2021. On that day, the Counsel appearing for the Petitioner had moved it out. It had been re-fixed for 12/01/2022. Again, the same application had been made and the matter had been re-fixed for

support for 29/03/2022. On that day too, the same application has been made stating that the Counsel for the Petitioner is not well and again it had been fixed for support on 02/06/2022. On that day too, the same application has been made and it has been fixed for today for the fifth time, and today also, a Junior Counsel appears and makes the application that the Senior Counsel Mr. Sooriyaarachchi who had been previously sick on 04 dates is not well yet again. As such this Court is unable to entertain these applications any more, as they seem to be completely false.

Therefore, application is dismissed.

**JUDGE OF THE COURT OF APPEAL**

**Hon. Justice Neil Iddawala**

I agree.

**JUDGE OF THE COURT OF APPEAL**

KMT