

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

An Application of Appeal made under
Section 154 (P) that is read with Provincial
High Court Special Provision Section 11 (1)
Act No: 19 of 1990.

Maha Acharige Shanthi Dharmadasa,
Galapatha, Wadumulla, Benthara.

Magistrate's Court

Balapitiya Case No: 69013

Petitioner

Vs.

High Court Balapitiya
Case No: 893/2014

Thunthuwaduge Dhayarathna,
Galapatha, Wadumulla, Benthara.

CA (PHC) Appeal No: 106/2016

Respondent

And.

Maha Acharige Shanthi Dharmadasa,
Galapatha, Wadumulla, Benthara.

Petitioner-Petitioner

Vs.

Thunthuwaduge Dhayarathna,
Galapatha, Wadumulla, Benthara.

Respondent-Respondent

And.

Maha Acharige Shanthi Dharmadasa,
Galapatha, Wadumulla, Benthara.

Petitioner-Petitioner-Appellant

Vs.

Thunthuwaduge Dhayarathna,
Galapatha, Wadumulla, Benthara.

Respondent-Respondent-Respondent

Before : Hon. Justice A.L. Shiran Gooneratne
Hon. Justice Dr. Ruwan Fernando

Counsel : Counsel not marked the appearances

Decided on : 12/02/2020

Hon. Justice A.L. Shiran Gooneratne

Petitioner-Appellant is absent and unrepresented.

The Registrar of this Court has listed this case for an order of Court in terms of Rule 3(14) of the Court of Appeal (Appellate Procedure Rule 1990).

Perusal of journal entry dated 20/08/2019 and 14/01/2020 in the docket shows that the Appellant has failed to take steps to pursue this application.

Rule 3 (13) states that, it shall be the duty of the Petitioner to take such steps as may be necessary to prosecute his application with due diligence.

It is the view of this Court that the Petitioner is not interested in pursuing this application any further. In these circumstances the Court decides to reject the application.

Application rejected.

JUDGE OF THE COURT OF APPEAL

Hon. Justice Dr. Ruwan Fernando

I agree.

JUDGE OF THE COURT OF APPEAL

TTS/-