

IN THE COURT OF APPEAL OF THE DEMOCRATIC SOCIALIST

REPUBLIC OF SRI LANKA

In the matter of an appeal under and in
terms of article 154(P) (3) (b) of the
Constitution of the Democratic Socialist
Republic of Sri Lanka.

CA (PHC) Appeal No:

CA (PHC) 185/2016.

PHC/GPH/HCRA/No: **37/11.**

M.C. Pugoda Case No: **1573/66.**

Don Rohan Sujith Priyadharshana of

No. 69/5,

Yattowita, Samanabedda, Tittapattara.

Party of the 2nd part 2nd Respondent-
Petitioner-Appellant

-Vs-

1a Dona Anne Wasantha Wijetunga of

No. 95, Samanabedda, Tittapattara.

Substituted Party of the 1st part
Petitioner Respondent-Respondent

1. Albert Thomas Wijetunga of No. 69/1,
Yattowita, Samanabedda, Tittapptara.

Party of the 2nd part 1st Respondent-
Respondent-Respondent

Before : Hon. Justice A. L. Shiran Gooneratne, Act. (P/CA)
Hon. Justice Dr. Ruwan Fernando
Counsel : Appellant absent and unrepresented
Decided on : 26/02/2020

A. L. Shiran Gooneratne, J. Act. (P/CA)

Appellant is absent and unrepresented.

Perusal of journal entries dated 16/10/2019 and 01/02/2020 in the docket shows that the Petitioner 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 this application.

Application rejected.

Acting President of the Court of Appeal

Dr. Ruwan Fernando, J.

I agree.

Judge of the Court of Appeal

NDS/-