

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

Kaluarachchige Shiromi Mala

Wickremsinghe

No: F2/1, Angoda, Hingula

Court of Appeal Case No:

**CA (PHC) 121/2016**

High Court Kegalle

Case No: **4971**

Case No: **491794/66**

**2<sup>nd</sup> Part Respondent-Petitioner**

**Appellant**

**Vs**

Wijethunga Thenennahalage

Aththanagoda Gedara Muthubanda,

No: F19/2, Angoda, Hingula

**1<sup>st</sup> Part Respondent-Respondent-  
Respondent**

1. Mara Saibu Marikkara Siththi Sabaya

No: F1/4, Angoda, Hingula

2. Jayasinghe Mudiyanseelage Jeevani

Hansika Jayasinghe

No: F1/3, Angoda, Hingula

**2<sup>nd</sup> Part Respondent-Respondent-  
Respondents**

Officer in Charge

Police Station,

Mawanella

**Complainant-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 16/09/2019 and 31/01/2020 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/-