

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

**C.A. No: 908/97(F)**

D.C. Tangalle Case No: 2101/P

Thalpawela Vidana Kankanamge Charis,  
Wawagawa watta,  
Sitinamaluwa,  
Tangalle

**Plaintiff**

**Vs.**

1. Balamanage Cyril Wimalaratne,  
Watapokuna,  
Sitinamaluwa .  
Tangalle.

Samaraweera Liyana Arachchige Arnolohamy,  
Thumbaladeniya,  
Sitinamaluwa,  
Tangalle.

And others

**RESPONDENTS**

C.A. No:908/97(F) - D.C. Tangalle Case No:2101/P

BEFORE : K.T. CHITRASIRI, J.

COUNSEL : N. Udalagama for the 9<sup>th</sup> Defendant-Appellant.

Parakrama Agalawatte for the 1A Substituted Plaintiff-Respondent.

Udara Thilakawardena with Lasantha Seneviratne for the 8<sup>th</sup> Defendant-Respondent.

ARGUED & DECIDED ON : 10.06.2014.

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**K.T. CHITRASIRI, J.**

Counsel for the 9<sup>th</sup> defendant-appellant moves for another date to file substitution papers to substitute the heirs of the 2<sup>nd</sup> and 6<sup>th</sup> defendant-respondents stating that he was unable to obtain necessary documents. Counsel for the appellant was given several dates to file papers for the purpose of ~~the above~~ substitution. However, no steps have been taken as yet. Accordingly, Court makes an order abating appeal. Appeal is abated.

*Appeal abated.*

JUDGE OF THE COURT OF APPEAL

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