

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

Seylan Bank Ltd.  
Registered Office at No. 33  
Srimath Baron Jayatilake Mawatha,  
Colombo 1, and its Branch Office at  
No. 24A, Galle Road,  
Ambalangoda.

Plaintiff

C.A. No. 1095 / 2000 F

**Vs.**

D.C. Colombo No. 20806 / MR

Meepage Athar Premathilake,  
No. 164, Ambalangoda Road,  
Wathugedara.  
Presently at No. 25, Kanaththa Road,  
Paragahatota, Wathugedara.

Defendant

**AND NOW BETWEEN**

Meepage Athar Premathilake,  
No. 164, Ambalangoda Road,  
Wathugedara.  
Presently at No. 25, Kanaththa Road,  
Paragahatota, Wathugedara.

Defendant Appellant

**Vs**

Seylan Bank Ltd.  
Registered Office at No. 33  
Srimath Baron Jayatilake Mawatha,  
Colombo 1 and its Branch Office at  
No. 24A, Galle Road,  
Ambalangoda.

Plaintiff Respondent

BEFORE : UPALY ABEYRATHNE, J.

COUNSEL : Defendant Appellant-Absent and unrepresented  
Hiran de Alwis for the Plaintiff Respondent

ARGUED ON : 21.02.2014

DECIDED ON : 23.05.2014

UPALY ABEYRATHNE, J.

The Plaintiff Respondent (hereinafter referred to as the Respondent) instituted the said action against the Defendant Appellant (hereinafter referred to as the Appellant) in the District Court of Colombo seeking to recover a sum of Rs. 2,203,589.66 and the interest accrued thereon.

The Appellant filed answer praying for a dismissal of the Respondent's action. The case proceeded to trial on 11 issues. After trial the learned Additional District Judge has delivered a judgment in favour of the Respondent. Being aggrieved by the said judgment dated 05.12.2000 the Appellant has appealed to this court.

In the petition of appeal the Appellant has urged that the said judgment is contrary to law and against the weight of the evidence led in the case. I have carefully considered the evidence of the case and the said judgment. When I consider the said evidence I am of the view that the Respondent is entitled to the relief sought for in the plaint.

In the said circumstances I see no reason to interfere with the said judgment of the learned Additional District Judge dated 05.12.2000. Therefore I dismiss the appeal of the Appellant with costs.

*Appeal dismissed.*

Judge of the Court of Appeal