

[IN THE COURT OF APPEAL OF SBI LANKA]

1972 *Present* : Fernando, P., Samerawickrame, J., and
Siva Supramaniam, J.

E. SOTHILINGAM and another, Applicants, and THE QUEEN,
Respondent

C. A. APPLICATIONS 48-49 OF 1972—C. C. A. No. 93-95/69

S. C. 16/68—M. C. Mannar, 4245

*Court of Appeal—Applications for leave to appeal—Long delay in presenting them—
Competency of Registrar to refuse to entertain the applications.*

Where the Registrar of the Court of Appeal made order refusing to entertain certain applications for leave to appeal to the Court of Appeal which were presented nearly seventeen months after the relevant date—

Held, that, having regard to the Rules of the Court of Appeal, the order of the Registrar was entirely competent and quite proper.

APPPLICATIONS in respect of an order made by the Registrar of the Court of Appeal.

S. Sinnathamby, for the applicants.

Kenneth Seneviratne, Senior State Counsel, for the respondent.

October 26, 1972. FERNANDO, P.—

These applications come before this Court by way of a motion stating that the applicants are aggrieved by an order of the Registrar refusing to entertain their applications for leave to appeal to this Court. The motion is in effect an appeal against the order of the Registrar.

The appeals of the applicants to the Court of Criminal Appeal were dismissed so long ago as 19th March 1970. The applications to this Court have been presented only on the 11th August 1972.

Having regard to our Rules, it is quite clear that the order of the Registrar was entirely competent and, in our opinion, quite proper. Submissions have been made by Counsel on behalf of the applicants that we should act in the larger interests of Justice, but we have no little difficulty in understanding what he meant to convey thereby. While we have in our Rules set down a period of 21 days from the date of the judgment appealed against as the period within which an applicant

must come before this Court, to request us to entertain an application presented nearly seventeen months after the relevant date is wholly unreasonable.

These applications will stand rejected.

Applications rejected.

