

IN THE CIRCUIT COURT ADENTAN SITTIG BEFORE HER HONOUR
SEDINAM
AWO BALOKAH (MS) THE PRESIDING JUDGE ON THE 3RD DAY OF
NOVEMBER, 2022

TIME: 9: 15 AM
C1/08/2020

SUIT NO.

SAMUEL GALILEO AMAGLO
TESHIE - ACCRA

PLAINTIFF

VRS.

1. MR. LOMO

2.
DEFENDANTS

AZUMAH

NELSON

Plaintiff: Present

Defendants: Absent

Peter Antonio Present for Plaintiff

Dodzi Dzidula Present for Defendants

Counsel for Plaintiff/Applicant: We move in terms of the Motion Paper and Supporting Affidavit and annexures. We wish to be granted leave for Plaintiff to substitute the site plan originally submitted by Plaintiff as the site plan attached to his Indenture with a new site plan which was made after the Court's ordered composite plan was made. Humbly submitted.

Counsel for Defendants/Respondents: We are opposed to the Application. We rely on all averments in our Affidavit in Opposition. The Plaintiff is seeking to set a bad precedent. After the composite plans was made as ordered by this court, the Plaintiff realized his position and went to have a new site plan made having in mind the composite plan. This is not right. If the Application is granted

it would mean that litigation would never end. We pray the motion be dismissed. Humbly submitted.

By Court – Ruling

The Plaintiff is seeking to introduce a new site plan he had made only after a composite Plan was made on Orders of this Court using the site plans submitted by the parties. The site plan submitted by the Plaintiff himself is what was used for the composite plan. At the time, this new site plan being sought to be introduced did not exist. To allow the Plaintiff to introduce this new site plan would be to set a precedent that allows Parties to correct their existing site plans which were used in making a composite plan, using the said composite plan as a guide. This is the epitome of dishonesty sought to be given judicial blessing or approval. This should not be allowed by any court. The Motion is denied. No award as to cost.

Suit is adjourned to **27/01/2023** for hearing to commence.

(SGD)

**H/H SEDINAM AWO BALOKAH
CIRCUIT COURT JUDGE**

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