

IN THE CIRCUIT COURT '2' ADENTAN BEFORE HER HONOUR
SEDINAM AWO BALOKAH, THE PRESIDING JUDGE ON THE 3RD DAY
OF MARCH, 2023

TIME: 12:00 PM
C2/020/2023

SUIT NO.

MR. JOSEPH K. OKYERE
PLAINTIFF
H/NO. E2
ADWESO –KOFORIDUA

VRS.

RISEGLOBE ENERGY
ACCRA

DEFENDANT

Parties

Plaintiff absent

Defendant absent

Representation

Frances Enchia present holding brief for Rosenberg Owusu Adokoh for
Plaintiff/Applicant

Harold Kwabena Fearon present holding brief for Richard Nunekpeku for
Defendant/Respondent

By Court: Ruling (Summary Judgment)

Application is granted. Summary Judgment is entered for Plaintiff with respect
to reliefs **b)** and **d)** as endorsed on the Writ of Summons.

Reason:

The only gleanable defence put forward by Defendant/Respondent is the fact that the Plaintiff is accused of transacting (charging the rent for the premises) in USD contrary to the Bank of Ghana policy. What is evident from the conduct of the parties during their periodic transactions is that both Plaintiff and Defendant agreed for the cedi equivalent of the USD rent to be paid by the Defendant. The Defendant is therefore estopped by conduct from now claiming that the Plaintiff had breached a Bank of Ghana policy.

Indeed, even if that was so, the Bank of Ghana is the appropriate entity to take the Plaintiff on. The Defendant is deemed to have paid the rent in Ghana Cedis from the Affidavit evidence on record. In the circumstances, the Defendant clearly has no reasonable defences to Plaintiff's claim per reliefs **b) and d)** as endorsed on the Writ of Summons.

The Defendant is accordingly ordered;

1. To pay to Plaintiff the **Cedi equivalent of USD12,000** at the prevailing Forex rates in force at date of issuance of the Writ of Summons (03/11/2022).
2. To pay to Plaintiff interest on the above amount at the prevailing Bank Of Ghana rates from 01/07/2022 till date of this Judgment (03/03/2023).
3. To pay to Plaintiff **GHC4,000** being the security deposit.

I award cost of **GHC3,000** in favour of Plaintiff.

Suit is finally determined.

(SGD)

H/H SEDINAM A. BALOKAH

CIRCUIT COURT JUDGE
Sarafina./*