

IN THE SUPERIOR COURT OF JUDICATURE
IN THE COURT OF APPEAL [CIVIL DIVISION]
SITTING AT ACCRA ON FRIDAY THE 13TH
DAY OF JUNE, 2008

CORAM: DOTSE, JA [PRESIDING], QUAYE & APALLO, JJA

CA.137/99

(1) BENJAMIN ANOE QUARCOO | ... PLAINTIFFS/APPELLANTS
(2) JOSEPH TETTEH QUARCOO |
 V E R S U S
(1) MR. ANTWI |
(2) JESSIE'S BLOCK WORKS | ... DEFENDANTS/RESPONDENTS

R U L I N G

1st Plaintiff/Appellant present.

1st Defendant/Respondent present.

Jessie's Block Works represented by Nathaniel Sisidua.

Adumua-Bossman for the Plaintiffs/Appellants present.

Nii Amponsah for the Defendants/Respondents absent. He is alleged by the 1st Defendant/Respondent to have informed him this morning that he is indisposed.

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By Court:- On the 5th of June, 2008, this court whilst allowing the appeal against the Judgment of Farkye J. dated 10th day of March 1998 convicted the Defendants/Respondents for contempt.

This court further ordered the 1st Defendant/Respondent who was present in court to purge himself of the contempt and report back to the court today to enable the court take a decision on the sentence to impose on him. This morning, the 1st Respondent arrogantly informed this court that he cannot vacate the land as the land belongs to Ghana Atomic Energy Commission and that he has no where to go to.

The court considers the attitude and conduct of the 1st Respondent as gross disrespect and affront to the dignity and integrity of the Judicial process further compounding his contempt.

In our minds, nothing can be more contemptuous than what the 1st Respondent has done. Having failed to take advantage of the mitigation circumstances, this court hereby imposes a sentence of 30 days imprisonment with hard labour on the 1st Respondent for contempt of court. In addition, the 1st Respondent is to pay a fine of GH¢1,000.00 (One Thousand Ghana Cedis) or in default, another 30 days imprisonment with hard labour.

Concerning the 2nd Respondent, represented in court by Nathaniel Sisidua, this court will extend to him the same purge extended to 1st Respondent by granting him time upto and including Friday, 20th June, 2008 to purge themselves. The case is further adjourned to 3rd July, 2008 in respect of the 2nd Respondent only.

[SGD.] J. DOTSE
JUSTICE OF APPEAL

“”” G.M. QUAYE
JUSTICE OF APPEAL

“” R. K. APALLO
JUSTICE OF APPEAL