

IN THE CIRCUIT COURT '1', ADENTAN, ACCRA, BEFORE HER HONOUR JUDGE DORA G. A. INKUMSAH ESHUN (MRS.) SITTING ON MONDAY THE 3RD DAY OF OCTOBER 2022

SUIT NO. C2/001/2023

CHARLES KOMIETE-AMOO

PLAINTIFF

V.

3 AMS-CLEMS

1ST DEFENDANT

CLIFFORD MATE-KORLEY

2ND DEFENDANT

Parties

Plaintiff-applicant – represented by Jerome Dag Amoo (son)

1st and 2nd defendants – absent

Representation

Plaintiff counsel – present; Justice Tsakpoe holding brief for Chris Baffour-

Awuah Defendant counsel – absent

Plaintiff Counsel

My lady, respectfully, we have a motion on notice for judgment in default of defence under **Order 13**. We move in terms of the motion paper, supporting affidavit and evidence attached.

RULING – MOTION FOR JUDGMENT IN DEFAULT OF DEFENCE

The Writ of Summons and Statement of Claim were filed on 5th August 2022, for an order for payment of rent arrears amounting to \$22,938.99 or its cedi equivalent. The defendant entered appearance on 16th August 2022 through his counsel Leslie Oku of Oriental Law Consult. A Search filed on 8 September 2022 revealed that the defendant had not filed a Statement of Defence. There is currently no Statement of Defence on the docket.

The motion for judgment in default of defence was served on the defendant on 27 September 2022 through his lawyer's clerk, Wisdom Nyadevu at Tesano, with no defence subsequently being filed on the docket.

The motion is therefore granted under **Order 13 rule 1 of the High Court (Civil Procedure) Rules, 2004 (C. I. 47)**. Costs of GH¢1,000 are awarded against the defendant and the minimum level of legal fees as determined by the Ghana Bar Association applicable to this case are also awarded against the defendant.

(SGD)
DORA G. A. INKUMSAH ESHUN
CIRCUIT JUDGE