

IN THE CIRCUIT COURT '2' ADENTAN BEFORE HER HONOUR
SEDINAM AWO BALOKAH (MS) THE PRESIDING JUDGE ON THE 13TH
DAY OF JUNE, 2023

TIME: 9:16 AM

SUIT NO. C1/005/2023

ALI-IMURAN YUSSIF

PLAINTIFF

AMANFROM

ADENTA

VRS.

1. MR. GIBRIL

DEFENDANTS

2. OTHER TRESPASSERS

Plaintiff Present

D1 Present

Babonyire Adacula Present for Plaintiff/Applicant

J. A Lakai Absent for Defendant/Respondent

By Court

Defendant, are you opposed to the Motion for Interlocutory Injunction Order?

Defendant (Twi): Yes

By Court:

Why has your lawyer not filed your Affidavit in Opposition since they were served on 10th May, 2023?

Defendant (Twi): I do not know why.

By court:

Why is your lawyer absent today although he wrote to this court seeking an adjournment till today 13th June, 2023? (See letter to Registrar dated 19th May, 2023, Counsel for Defendant wrote seeking any adjournment to today).

Defendant (Twi): He is in Tamale and will be arriving today.

By Court:

The Defendant was served with the Motion pending and all Annexures on 10th May, 2023 at 4:02 pm through his lawyer's clerk Prince Addo at South Industrial Area (see Affidavit of service by Amewugah Ablordeppey court bailiff). Counsel for Defendant further wrote a letter to the Registrar of this court letter dated 19th May, 2023 seeking an adjournment to today 13th June, 2023. However, Defendant has not filed any opposition to the pending Motion for an Interlocutory Injunction Order. Considering all the above, the court deems the Defendant has waived his right to file any Affidavit in Opposition and Statement of case through his Counsel on record. In circumstance, the Motion shall be heard and determined on its merit.

Counsel for Plaintiff/Applicant: We move in terms of the Motion paper, supporting Affidavit. We rely on all Annexures and Statement of case. We pray accordingly.

By Court – Ruling:

In order to prevent the land in issue from being manipulated or changed in such a manner that the award of damages will not suffice as compensation, the court in the exercise of its discretion and per **Order 25 of C.I. 47** as amended deems it appropriate considering the fact deposed to by Applicant herein and an argument canvassed per the statement of case filed for the Applicant by his Counsel to grant the Application. The Application is therefore granted as follows only; The Parties herein, their agents, servants, assigns, workmen and all other person or group of persons claiming and or through or under them are by this Interlocutory Injunction Order PROHIBITED or RESTRAINED from going on, entering into, developing or dealing with the land the subject matter of this suit by whatsoever description given to same by the Parties herein, in anyway whatsoever pending the final determination of this instant suit. This suit shall its ordinary course herefrom.

(SGD)

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

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