

IN THE DISTRICT MAGISTRATE COURT HELD AT AKROPONG-ASHANTI
ON THURSDAY THE 18TH DAY OF OCTOBER, 2023. BEFORE HIS WORSHIP
ROCKSON A. K. KPODO. THE DISTRICT MAGISTRATE

SUIT NO A1/24/23

NANA ABROAA SIKA II (OHENEYERE)

VRS.

SOPHIA

JUDGMENT

Plaintiff claims the following relief against plaintiff:

1. An order of the court for declaration of title to plaintiff plot number 28 situate and lying at Oheneyere Abroaa Mprengo stool land on Nana Gyebi Apua II road.
2. Damages against the defendants for trespassing on the above-described plot of land.
3. An order of perpetual injunction.

Plaintiff's case in support of her claim is that the land in dispute belongs to her in her capacity as the Otumfour's wife and that she has documents covering all the land and that when defendant encroached on the land, she asked him to see her but he refused hence this action.

Upon hearing the plaintiff's evidence in support of his claim the court hereby enters default judgment for plaintiffs against defendant in accordance with **Order 25 Rule 1 (2), (a), (c) of the District Court Rules, CI.59 of 2009** which says:

1. (1) where an action is called for trial and the parties fail to attend, the trial magistrate may strike the action off the trial list.

(2) Where an action is called for trial and a party fails to attend, the trial magistrate may

(a) Where the plaintiff attends and the defendant fails to attend, dismiss the counterclaim, if any, and allow the plaintiff to prove the claim;

(b) Where the defendant attends and the plaintiff fails to attend, dismiss the action and allow the defendant to prove the counterclaim, if any; or

(c) Make any other order that is just.

Cost of GHC1500 is hereby awarded for plaintiffs on their claim.

General damages of GHC2500 are hereby decreed in favour of plaintiff.

Formal decree is hereby ordered to be served on defendant.

SGNED

H/W ROCKSON A. K. KPODO