

IN THE SUPERIOR COURT OF JUDICATURE IN THE HIGH COURT OF JUSTICE
HELD AT THE LAW COURT COMPLEX, ACCRA (GENERAL JURISDICTION 11)
ON TUESDAY THE 25TH DAY OF APRIL, 2023 BEFORE HIS LORDSHIP JUSTICE
RICHARD APIETU (J)

SUIT NO. GJ/0363/2022

GATES OF GLORY MICRO CREDIT SERVICES - PLAINTIFF

VRS.

PAINTSIL ADJEI - DEFENDANT

RULING

This is a Ruling on an Application for an order to remove some items seized in execution, for stay of execution and leave for payment by instalment.

I have read the Application, the supporting Affidavit and further Affidavit in support of the Application. I have also read the Affidavit in Opposition. I have also given consideration to the Written Submissions filed by Counsels for and against the grant or otherwise of the Application.

I have noted that the Judgment Debtor was served with Judgment in default of Defence and Entry of Judgment. However, he did not take any steps to dispute the Judgment. I have also noted that the Judgment Debtor is disputing the Judgment Debt. Meanwhile, he is asking this Court to make an order for him to pay the Judgment Debt by instalment. I have further noted that he has not stated the amount he owes. However, he is praying this Court to stay execution. The question is, what is the Court staying? I

have also noted that the prayer by the Judgment Debtor to remove some items seized in execution is clearly alien to the rules and practice of this Court.

I am therefore of the considered view that this application is misconceived and same ought to be dismissed and is dismissed accordingly. Cost of GH¢2,000.00 is awarded in favour of the Execution/Creditor against the Execution/Debtor.

(SGD)

**JUSTICE RICHARD APIETU
(HIGH COURT JUDGE)**

COUNSEL

ISAAC AIDOO FOR THE PLAINTIFF/JUDGMENT CREDITOR/RESPONDENT

**ALEX MENSAH HOLDING THE BRIEF OF ALEXANDER K. K. ABBAN FOR THE
DEFENDANT/JUDGMENT DEBTOR/APPLICANT**