

IN THE SUPERIOR COURT OF JUDICATURE, IN THE HIGH COURT OF JUSTICE (GENERAL JURISDICTION 8), ACCRA HELD ON THURSDAY THE 13<sup>TH</sup> DAY OF JULY, 2023 BEFORE HER LADYSHIP ELLEN LORDINA SERWAA MIREKU, JUSTICE OF THE HIGH COURT

SUIT NO. GJ/0745/2023

AHMED MOHAMMED GEDEL

SUING THROUGH HIS LAWFUL ATTORNEY:

DANJUMAH KARIMU NINCHE                      ....                      PLAINTIFF

VS.

1. ACCRA TECHNICAL UNIVERSITY
2. PROF. SAMUEL NII ODAI
3. REV. PROF. EMMANUEL ADOW OBENG
4. PROF. SALOMEY ESSUMAN
5. PROF. SYLVESTER KOJO DANUOR
6. ENGR. DR. STEPHEN TURKSON
7. PROF. AHMED GINAPOR ABDULAI
8. PROF. FELIX KUTSANEDZIE
9. DR. SHANI BASHIRU                      ....                      DEFENDANTS

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RULING

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Plaintiff from the processes on the docket is a lecturer at 1<sup>st</sup> Defendant's University who is presently undertaking his PHD with the University of Allied Sciences and Nuclear Energy in Ghana and has had to travel abroad for a period to undertake his practicals and he is scheduled to return to Ghana later in the year. This means that

the Plaintiff is a permanent resident of Ghana who is presently staying abroad albeit for a short period so he is temporarily resident there for educational purposes and whatever address he is residing in that country is a temporary one to him since he is scheduled to return to Ghana soon. The Plaintiff sued through an attorney and has indicated that he is suing through his Lawful Attorney and has provided their addresses as stated and required by the rules particularly Order 2 Rule (4) (2) of C. I. 47. It is not the case that his address has not been stated at all as was the case in the Standard Offshore case and he is also a Ghanaian and not a foreigner where his foreign address will be a mandatory requirement. I find that he is resident in Ghana and undergoing his studies temporarily abroad so the writ is proper. If Counsel for Defendant thinks that the Plaintiff does not have the capacity to sue, he can have it determined as a legal question under Order 33 Rule 5 of C. I. 47 and if he wishes to inspect the Power of Attorney of the Lawful Attorney of Plaintiff, he can apply to inspect same and even make a copy for his record. The instant application is accordingly refused. Cost of GH¢1,000 is awarded against Defendants in Plaintiff's favour.

**(SGD)**

**H/L ELLEN L. S. MIREKU**

**JUSTICE OF THE HIGH COURT**

**RAYMOND BAGNABU ESQ. FOR THE PLAINTIFF/APPLICANTS**

**JOSEPH OPOKU BOATENG ESQ. FOR THE DEFENDANTS/RESPONDENTS**

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