

**IN THE SUPERIOR COURT OF JUDICATURE AND IN THE HIGH COURT OF JUSTICE, AMASAMAN, ACCRA IN THE GREATER ACCRA REGION HELD BEFORE HER LADYSHIP PRISCILLA DAPAAH MIREKU (J) SITTING ON MONDAY THE 12<sup>TH</sup> DAY OF JUNE, 2023.**

**SUIT NO: E1/AHC/16/23**

**MARSHWOOD BANNOR**

**- PLAINTIFF**

**VS.**

**KAS ESTATE & 6 ORS**

**- DEFENDANTS**

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**PARTIES : PLAINTIFF REPRESENTED BY ERIC LAMPTEY**

**DEFENDANTS ABSENT**

**COUNSEL : NICHOLAS KWASI APPIAH ESQ. FOR PLAINTIFF  
/RESPONDENT**

**FAFA FIANO HOLDING BRIEF FOR N. EFFAH DARTEH FOR  
DEFENDANT/ APPLICANT**

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### **RULING**

The Appellant Nii Solomon Mintah Ackah has filed an application to set aside an order of interlocutory injunction granted by this court on the 6<sup>th</sup> of April, 2023. He deposes to the fact that he is the head of the 8<sup>th</sup> Defendant family. It is interesting to note that the said applicant has not entered appearance on behalf of 8<sup>th</sup> defendant family and files this application in his personal capacity that is why he states his name as the applicant. If indeed he is the head of the 8<sup>th</sup> defendant then he ought to do the right thing and file the necessary process.

On record, another has entered appearance as the head of family of the 8<sup>th</sup> defendant. It is trite that the court will not entertain busy bodies who are not parties in a suit. The applicant in this instance has capacity to bring the instant application before this court. If indeed he is the head of family of the 8<sup>th</sup> defendant then he ought to enter appearance or at best as counsel for plaintiff submitted applied to be joined as a party to the suit. Furthermore he is not immune to this court. Thus his application to set

aside the order of this court is struck out as incompetent. The preliminary legal objection sustained.

**BY COURT:**

No order as to Costs. Suit to take normal cause.

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**H/L.PRISCILLA DAPAAH MIREKU**  
**(MRS.)**  
**(JUSTICE OF THE HIGH COURT)**