

**IN THE SUPERIOR COURT OF JUDICATURE AND IN THE HIGH COURT OF
JUSTICE, AMASAMAN, ACCRA HELD BEFORE HERLADYSHIP JUSTICE
PRISCILLA DAPAAH MIREKU (MRS) SITTING ON THURSDAY 11TH MAY, 2023**

SUIT NO: E1/AHC/221/2022

NII BUERNORTEY BAAKO I & ANOR. - PLAINTIFFS

VRS

NII ARDE NKPA VII & 2 ORS - DEFENDANTS

PARTIES: PLAINTIFFS - PRESENT

DEFENDANTS - PRESENT

COUNSEL: JOSEPH DINDIOK KPEMKA FOR THE

PLAINTIFS/APPLICANTS/RESPONDENTS - PRESENT

G. H QUIST FOR 3RD DEFENDANT - PRESENT

RULING

Counsel for the Applicant is praying this Court to stay proceeding on ground that they have appealed a ruling of this Court which they alleged their application before the Court for an order striking out the instant suit for non-compliance with mandatory provisions of law was not moved when the Court gave its ruling. The Plaintiff is opposed to same and prays that the instant application should be dismissed and that even if they win their application they will come back and move their application and it will not affect the

matter before the Court. Counsel prays that they are allowed to move their application while they wait for the outcome of their application.

The application that this instant Applicant is appealing on has to do with striking out of this instant suit. Even though the appeal is not about the ruling of the Court but on the grounds that the application was not moved when the Court came out with its ruling.

This Honourable Court is of the view that it will be just to stay the proceedings of this Court as should the Applicant succeed in their appeal they will have to move their application to strike out the suit again. For the application for injunction pending before the Court, since the processes have been served on them, it will be prudent for all parties to stay put until the said application is moved.

Thus, the instant application is granted as prayed. No order as to costs.

(SGD)

H/L PRISCILLA DAPAAH MIREKU (MRS.)

(JUSTICE OF THE HIGH COURT)