

**IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT
ACCRA – GHANA 2015**

**CORAM: ANSAH, JSC (PRESIDING)
ANIN YEBOAH, JSC
BAFFOE BONNIE, JSC
GBADEGBE, JSC
AKOTO BAMFO (MRS), JSC**

**CIVIL APPEAL
NO. J4/52/2014**

19TH NOVEMBER 2015

**SAMUEL GYAMFI & ORS. --- PLAINTIFFS/RESPONDENTS
/RESPONDENTS**

VRS.

**BANK OF GHANA --- DEFENDANT/APPELLANT
/APPELLANT**

JUDGMENT

GBADEGBE JSC read the judgment in the court as follows:

We have just this morning delivered judgment in civil appeal no J4/52/2014 which involves substantially the same parties and raises for our determination the same points of law as confronts us in this case. We think that we are in principle bound by the reasons which lead us to that decision. Accordingly, we apply the decision in that matter to the appeal herein.

The result is that we allow the instant appeal and set aside the judgment of the Court of Appeal and in place thereof substitute an order granting the appellant a leave to enter appearance to the action herein out of time and for the matter to be thereafter dealt with in accordance of law.

N. S. GBADEGBE
JUSTICE OF THE SUPREME COURT

J. ANSAH
JUSTICE OF THE SUPREME COURT

ANIN YEBOAH
JUSTICE OF THE SUPREME COURT

P. BAFFOE BONNIE

JUSTICE OF THE SUPREME COURT

V. AKOTO BAMFO (MRS)

JUSTICE OF THE SUPREME COURT

COUNSEL

SAMUEL CODJOE ESQ. FOR THE DEFENDANT/ APPELLANT/APPELLANT.

HANSEN K. KODUAH ESQ. FOR THE PLAINTIFFS/RESPONDENTS/
RESPONDENTS.