

GHANA / JUDGMENT

Adams Vrs Mensah [2023]

GHADC 359 (11 July 2023)

[2023] GHADC 359

COURT

District Court

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IN THE DISTRICT COURT SITTING AT ASAMANKESE ON THE 11TH DAY OF JULY, 2023 BEFORE HIS WORSHIP GEORGE DAVIS KWASI OFORI (MR) – DISTRICT MAGISTRATE SUIT No:A9/3/23 KASIM ADAMS PLAINTIFF VRS. MOHAMMED MENSAH DEFENDANT J U D G M E N T CLAIM: A) An order to eject the defendant from the plaintiff's single room at Estate, Asamankese. b) Enforcement of arbitrate from Rent Control Department, ordering the defendant to pay on outstanding rent arrears of GH¢540.00 or Recovery of Rent arrears of Gh¢540.00. c) Costs. SUMMARY OF PLAINTIFF'S EVIDENCE: It is his case that the defendant rented a single room from him and defaulted in paying rent, which rent arrears accumulated to GH¢1,680.00. That he reported the matter to the Rent Control Department who ordered the defendant to pay the rent arrears of Gh¢1,680.00 and also vacate the room but the defendant, after paying Gh¢1,440.00 refused to pay the balance of Gh¢540.00 and also vacate the room, hence this action, praying for the reliefs endorsed on his writ of summons. The plaintiff did not call any witness but tendered in evidence the Ruling of the Asamankese Rent Officer, Exhibit 'A'. SUMMARY OF DEFENDANT'S EVIDENCE He admitted liability to the 2nd claim and consent judgment entered against him which he has since paid with costs of Gh¢100.00. At paragraph 13 of his witness statement, the defendant stated that I agree to vacate the plaintiff's premises when this matter comes to an end at this Honourable Court. This was after he had initially pleaded not liable to claim a) where the plaintiff asked for his ejectment. In view of the defendant's own evidence at paragraph 13 of his witness statement, I would not go further to discuss any issues, but straight away enter judgment for the plaintiff. The defendant is hereby given 30 days to vacate the plaintiff's single room, but ordered to pay all rent that is recoverable, and all light bill from the date this action was taken to the date that he would vacate the plaintiff's house. Costs of Gh¢300.00 awarded against the defendant. 11/7/23 (SGD) H/W GEORGE DAVIS K. OFIRI (MAGISTRATE) 2

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