

GHANA / JUDGMENT

ARMAR VSRS ADU (J4/18/2023) [2024] GHASC 32 (17 April 2024)

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IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT
ACCRA – A.D. 2024

CORAM: OWUSU (MS.) JSC (PRESIDING)
LOVEVELACE-JOHNSON (MS.) JSC
PROF. MENSA-BONSU (MRS.) JSC
ASIEDU JSC
KOOMSON JSC
NO. J4/18/2023
CIVIL APPEAL
17TH APRIL, 2024
NATHANIEL ADJEIDU ARMAR PLAINTIFF/APPELLANT/RESPONDENT
VS.
1. MAVIS ADU
DEFENDANTS/RESPONDENTS/
2. SAMUEL ALABI BORTEY APPELLANTS
3. SARAH BORTIOKOR BORTEY

JUDGMENT

KOOMSON JSC:

INTRODUCTION

This is an appeal against the judgment of the Court of Appeal dated 20th January 2022. The Court of Appeal set aside the Judgment of the High Court which went in favour of the Defendant/Respondent/Appellant and in its place entered

judgment

for the Page 1 of 16 Plaintiff/Appellant/Respondent. It is this decision of the Court of Appeal that the Defendant/Respondents/Appellants have invoked the appellate jurisdiction of this Court praying for a restoration of the decision of the High Court. The Plaintiff/Appellant/Respondent shall be referred to in this judgment as the “Plaintiff” and the Defendants/Respondents/Appellants as “Defendants”. This is a land dispute in which both the Plaintiff and the Defendants trace their root of title to the same grantor, Osu Stool.

FACTS

The Plaintiff per his writ of summons describes his land as: “All that piece of land in extent 0.061 hectares (0.515 of an acre) more or less being parcel No. 0.12 Block 9 Section 2 situate at Dzorwulu Accra which is delineated on Land Title Registry as No. GA14159”. On the other hand, the 2nd and 3rd Defendants described their land as: “All that situate and being at Mamobi Dzorwulu. It is the case of the Defendants that their land is bound on the North by an existing road measuring 200feet more or less, on the South by a proposed road measuring 200feet more or less, on the East by the property of Nii Noi Kwame measuring 200feet more or less and on the West by a proposed road measuring 200feet more or less ...” The Defendants also in a Counterclaim asked for:

- i) Delivery up of Plaintiff’s Land Title Certificate for cancellation of same ii) An order of perpetual injunction against the Plaintiff whether by himself or through his agents workmen or privies or any of them or otherwise howsoever from entering on and in any way dealing with or interfering with the said piece of land which is subject matter of the instant suit. Page 2 of 16 iii) costs According to the Plaintiff, he acquired the land from his uncle, Theophilus Quarcoo Armar. The Plaintiff’s uncle acquired the land from one Abraham Osei on the 15th of July 1969. The said acquisition by Plaintiff’s grantor in 1969 was subsequently registered at the Land Registry as No. 1096/1970. Plaintiff’s case is that the 1st Defendant trespassed onto his land at the instance of the 2nd and 3rd Defendants. Plaintiff contends that his uncle transferred the land to him on 2nd May 1999 and the same was registered on the 17th of December 1999 at the Land Title Registry with a Land Title Certificate No. GA 14159. The Plaintiff’s main contention is that his land is very different from the land purportedly granted the Defendants by the then Osu Stool. Defendants contend that the 1st Defendant was granted permission by the 2nd and 3rd Defendants to occupy the land. The 2nd and 3rd Defendants claim that they are the owners of the land described above. The 2nd and 3rd Defendants’ case is that the said land was granted to them in 1953 by Nii Noi Dowuona IV, the then Chief of Osu. (See page 13 of the Record of Appeal). The Defendants fiercely dispute Plaintiff’s claim of ownership to the land on the basis that the conveyance to Theophilus Quarcoo Armar by Abraham Osei Hammond and the transfer by Theophilus Quarcoo Armar to Plaintiff is void as the same parcel of land had been transferred earlier in time by the Osu Stool to their mother and two sisters of the 2nd and 3rd Defendants. Plaintiff nonetheless maintains that the land granted him and his predecessors in title is completely

different from the Defendants' land. The learned High Court Judge correctly narrowed the issues down to whether the parties were claiming the same land, and if that was so, then the party whose interest in the land as granted by the Osu Stool first in time, succeeds. The High Court decided that the parties were indeed, litigating over the same land and therefore, the 2nd and 3rd Defendants' interest in the land preceded that of the Plaintiff. The Plaintiff appealed to the Court of Appeal on the basis that the trial judge erred in holding that the parties were litigating over the same land and it was erroneous for the High Court judge Page 3 of 16 to disregard the expert evidence tendered by Plaintiff's witness PW1 as being tendered in bad faith and self-serving. COURT OF APPEAL DECISION In the Court of Appeal, the learned Justices upon perusing the entire record of appeal before them reached a different opinion from that of the High Court. The Court of Appeal delivered itself as follows: "And as we have found that the lands of the parties are different contrary to the finding of the trial judge. Respondents have completely mistaken the location or where their lands lies Little wonder, therefore, that the site plan produced gave an expanded land to the Respondents exposing them as having claim to a land that has never been for their mother Rebecca Mosoperh and her siblings. And with Respondents land falling not as CW1 found but at a different location, the Appellant succeeds on the three grounds of appeal. Beyond the above Appellant has shown by Exhibit "B" that it has indefeasible title to the land with the registration and certificate. There is merit in this Appeal. We reverse the learned trial Judge and enter judgment for the Appellant in the reliefs he sought at the trial below. We dismiss the counterclaim of 3rd Respondent". APPEAL TO SUPREME COURT The Defendants, dissatisfied with the decision of the Court of Appeal have appealed the decision to this Court on the following grounds:

1. That the learned justices of the Court of Appeal erred in law when they held that the identity of the land being claimed by the Plaintiff/Appellant/Respondent is substantially different from the land occupied by the Defendants/Respondents/Appellants. Page 4 of 16 Particulars of Errors
 - a. That the learned justices of the Court of Appeal erred when they held that the Trial Court failed to avert its mind to the original site plan of the Defendants/Respondent/Appellants.
 - b. That the learned Justices of the Court of Appeal erred when they held that on the examination of the evidence on Record and on the law, the trial judge tripped on the law and evidence in his assessment of the evidence of the plaintiff's witness, PW1.
 - c. That the learned Justices of the Court of Appeal erred when they held that the testimony of PW1 must be sustained in spite of it being without notice of the Respondents and directions of the Court.
 - d. That the learned Justices of the Court of Appeal erred in law and in fact when they accepted Exhibit A3 by the Plaintiff's witness are rejected Exhibit CW1 by the Court's expert witness.

2. That the learned Justices of the Court of Appeal erred in law when they failed to consider the possessory rights of the Defendants' mother and her sisters of the disputed land since the customary grant in 1953.
3. That the Judgment of the Court of Appeal is against the weight of evidence on Record. It is trite learning that an appeal is by way of rehearing. The principles that guide the approach of this Court in the exercise of its appellate jurisdiction is that where a trial court makes findings of fact, which had been concurred in by the first appellate court, and those findings are not perverse or inconsistent with the evidence on record, then the second appellate court, like this court should be slow in departing from those findings. See *Obeng v Assemblies of God Church, Ghana* [2010] SCGLR 300: "Where findings of fact had been made by the trial court and concurred in by the first appellate court (as in the instant case), the second appellate court must be slow in Page 5 of 16 coming to a different conclusions unless it was satisfied that there were strong pieces of evidence on record which were manifestly clear that the findings of the trial court and the first appellate court were perverse. It was only in such cases that the findings of fact could be altered thereby disregarding the advantages enjoyed by the trial court in assessing the credibility and demeanor of witnesses. In the instant appeal, the court found no such compelling reason to disturb the findings of fact so ably formed by the trial court and concurred in by the Appeal Court". Emphasis supplied. The above principle does not prohibit the Court from making findings of fact that are contrary to that of the trial Court and the first appellate Court. In essence, when this Court determines an appeal as a second appellate Court, it is in a unique position to either affirm, dismiss or substitute findings of fact made by the courts below. ANALYSIS OF THE ISSUES It is the opinion of this Court that Grounds 1 and 3 ought to be considered together as these grounds require an evaluation of the evidence presented during the trial. The first issue we have to consider is as to whether the parties are claiming the same parcel of land purportedly granted by the Osu Stool. A cursory reading of the pleadings of the parties herein indicates that the identity of their respective lands was described therein. Nonetheless, it became necessary for the court below to order a composite plan to ascertain if the lands overlap, are the same or differ. The trial judge ordered a composite plan based on the respective site plans of the parties and this was carried out and tendered in evidence. The learned trial judge in his judgment interestingly observed as follows – See page 528 of ROA: "It is observed that, per the Order of the Court, the superimposition was to be done through the respective site plans of the parties. However, the parties were invited Page 6 of 16 to the site and what they physically showed, as their respective land was included in Exhibit "CW1". It is particularly noted from the Record that the learned lawyer for Defendants protested against the inclusion of what the parties showed as not emanating from the Order of the Court. I may want to agree with him and admonish that surveyors who are mandated by Court orders to carry out specific tasks are supposed to carry the tasks in strict compliance with the dictates of the Order of the Court". The court-appointed surveyor admitted under cross-examination by Plaintiff's Counsel that he did not personally carry out the superimposition order but these were done by cartographers who went onto the land to

execute the orders of the court. Q: Then I am suggesting to you that in carrying out this exercise in order to have a site plan for the purposes of identifying the Defendant's land the Survey Department requested the Defendant to produce another site plan which was used after the survey order was made. A: My Lord like I said earlier on I am not aware of that because my work has been finished and I submit to the cartographers for their work. So I don't know anything about this that you are saying my Lord. Q: So it is your evidence that your work is related to the physical identification of the land. A: The physical identification of the land and the superimposition of the site plan was done by the cartographers, that is their work. Q: So you did not do the superimposition. A: Yes my Lord, that is not my work. The evidence of CW1 who was the High Court-appointed surveyor was that he did not do the superimposition but presented a report based on work carried out by some other individuals. The Plaintiff not satisfied with the report of the Court witness went ahead and commissioned another expert witness to conduct another superimposition of the site plans of the parties. This Page 7 of 16 was done by Plaintiff's expert witness and the same was tendered in evidence and subjected to cross-examination. It is to be noted that, the conclusion of the court-appointed surveyor was that the parties were essentially claiming the same land, in other words, Defendant's land was within Plaintiff's land. On the other hand, Plaintiff's expert witness came to a different conclusion that Defendant's land lay somewhere north of Plaintiff's land whereas Plaintiff's site plan confirmed the location of Plaintiff's land. But why did the trial judge prefer the Court witness's conclusion to that of the Plaintiff's expert witness as to the location of the land of the parties? In the opinion of the trial judge, the evidence of PW1 was self-serving and done in bad faith. Moreover, the trial judge stated that PW1 was not called by the Court and did not put any weight on the evidence given by PW1 and upheld the report of CW1 to make a finding that the parties were litigating over the same land. The vexed question is, is a party precluded from calling his expert witness to testify on a matter in which a Court expert witness has given evidence? Procedurally, Order 26 of the High Court Rules, 2004. (C.I. 47) permits parties from calling an expert witness to testify in a matter which the court has received prior evidence from a Court expert witness. Order 26 rule 6 of C.I 47 provides: Rule 6 – Calling of Experts

- (1) When a court expert is appointed, any party may call one expert witness to give evidence on the matter reported on by the court expert if the party gives notice of such intention within a reasonable time to the other party
- (2) A party may not call more than one expert witness without leave of the Court, and the Court shall not grant leave unless it considers the circumstances to be exceptional. Since it is permitted by the Rules of Court for a party to call his expert to give evidence on a matter, it is proper for the court to ascertain whether the so-called expert meets the requirements Page 8 of 16 to testify as an expert witness in a matter. Section 112 of the Evidence Act provides the criteria for an expert witness to give his opinion. The said section provides: "If the subject of the testimony is sufficiently beyond common experience that the Opinion or inference of an expert will assist the court or tribunal of fact in understanding evidence in the action or in determining any issue, a witness may give testimony in the form of an

opinion or inference concerning any subject on which the witness is qualified to give expert testimony". By section 67 of the Evidence Act, 1975, NRCD 323, a person is qualified to testify as an expert witness "If he satisfies the Court that he is an expert on the subject to which his testimony relates by reason of this Special skill, experience or training". From the facts, it was necessary to ascertain whether the parties were claiming the same land. Therefore, a surveyor's report was relevant to assist the court in resolving the matter. In this case PW1 is a professional surveyor who retired as a Regional Surveyor and satisfies the condition as an expert witness in the field of survey and mapping. That by reason of his training skill and experience was qualified to testify in that respect. Again PW1 satisfied the requirements of section 112 in that, the subject matter had to do with mapping and surveying which was a matter outside common experience. Accordingly, we hold that the reasons assigned by the trial judge in not putting weight on the testimony of PW1 were not supported by law and we correctly uphold the reasons given by the Court of Appeal in that regard. Other pieces of evidence suggest that CW1's report was highly suspicious. Under cross-examination from Plaintiff, CW1 admitted that the site plan submitted to him for the work by Defendant was the one in Exhibit CW2, which was prepared in 2003. Plaintiff also tendered through CW1, the original indenture of the Defendants' grant in 1960 to their mother and her siblings by the Osu Mantse as Exhibit CW3. This same indenture of the Defendants Exhibit "K" has a site plan attached, this was also tendered by PW3, Emmanuel Agbeko, Records Officer of the Lands Commission, who was subpoenaed by the Plaintiff. Exhibit K was registered at the Page 9 of 16 Deed Registry and can be found on page 282 of the Record of Appeal. When one compares the site plan of the Plaintiff submitted for the survey work by CW1, it is not different from the site plan found in Exhibit "B", the indenture of July 1969 between Abraham Osei Hammond and Theophilus Quarcoo Armar, Plaintiff's grantor. It is again substantially the same site plan as seen in Exhibit "G" being the indenture that transferred the land from Theophilus Quarcoo to the Plaintiff. This indenture is reflected as Exhibit "J" at the Deed Registry. It is substantially the same plan that was used in the registration of the land that produced Exhibit "B", the title certificate. Finally, it is the same site plan that was submitted for the work of CW1. We agree with the Court of Appeal in its finding that the Defendants' land had changed in size through the various site plans when the Court of Appeal found that: "The site plan attached to the 1960 indenture, being the grant to the mother of the Respondents and which was registered at the Deed Registry was produced from official sources by PW3 as Exhibit "K". That described the land as 0.91 acreage of land at Mamobi Dzorwulu. On the other hand, the site plan prepared by the Respondent in 2003 and presented for the survey work by the court expert, the land which was 0.91 acreage had grown in size, as if land was capable of enlarging itself with the passage of time, to 1.08 acreage or 0.44 hectare". The rejection of Plaintiff's composite plan, Exhibit A, by the learned High Court Judge was improper. The Defendants, instead displayed bad faith and attempted to deceive the Court. Unfortunately, they succeeded in doing so in the Trial High Court; however, the Court of Appeal did not fall for this. It should therefore be noted that a Court of law cannot be simply overreached by such pranks. Indeed, the Defendants, through their Counsel, had the opportunity to cross-examine the Plaintiff's expert on the subject

matter. They failed even to challenge the position of PW1 that the land of the Plaintiff was different from the land of the Defendants. We therefore hold that the composite plan tendered by CW1 into evidence at the High Court was inherently flawed based on the reasons above. Page 10 of 16 The Court upon reading the Record of Appeal and in determining the central issue of the identity of the land claimed by the parties found it prudent on 25th October 2023, to order the Regional Surveyor (Greater Accra Region), Survey and Mapping Division of the Lands Commission to draw up a new composite plan indicating the respective position of each party's land. This Court further directed the parties to file their survey instructions but limit the documents they relied on to only their original documents, especially, the site plans attached to those Deeds that were registered; that is the 1962 Deed that was registered by the Defendants' grantor at the Deed Registry as No. 732/1962 and that of the Plaintiff at the Lands Registry as No. 1096/1970. This restrictive directive to the parties to solely use the documents originally registered at the Deeds Registry (which has now been subsumed by the Lands Commission) in 1962 and 1970 by their respective grantors was because they traced their root of title to these documents exclusively. The Plaintiff traced his grant to the 1970 instrument and the Defendants traced their grant to the 1962 instrument. The Surveyor prepared the composite plan and tendered the same into evidence on 31st January 2024 as Exhibit "CE1/SC". The parties cross-examined the Surveyor and leave was granted for the Parties to file a supplementary statement of case if they desired. Both Counsel filed their respective supplementary statement of case. Counsel for Defendants has invited us to ignore the Composite plan tendered by SC/CW1. We do not think such invitation by Defendants Counsel requires any serious consideration by us. We do not believe that Counsel for Defendants want to cause us to believe that the orders made by this Court and proceedings taken thereon should be ignored as if the order made was of no importance. It is to be noted that, Land Surveyors use various techniques such as GPS (Global Positioning System) to actually establish land boundaries according to legal descriptions and Cadastral Maps: See A.A ADU, J. AYER and A.D. GRANT (2016). Establishing boundaries for sustainable Land use and development in Ghana. *Journal of Surveying, Construction and Property* 7 (2), 1-14. Page 11 of 16 It is further noted that, surveyors assist in verifying land titles and documenting land parcels through cadastral surveys. It is therefore unacceptable for defence counsel to invite this court to ignore such an important exercise ordered by the court itself. From Exhibit CE1/SC the land on the ground as shown to the surveyor by Plaintiff is edged green and measures 0.40 acre. The land on the ground as shown to the surveyor by 2nd Defendant is edged red and measures 1.35 acres. The land shown on the site plan of Plaintiff is edged magenta and it measures 0.30 acre while the land shown on the site plan of the Defendants is edged blue and measures 0.87 acre. The area in dispute on ground is hatched green and measures 0.39 acre. The image of the composite plan reveals that a portion of Plaintiff's land per his site plan overlaps the land claimed by him on the ground. The composite plan also shows that the disputed area is squarely within the Plaintiff's land on the ground and significantly within Plaintiff's land per his site plan. In the words of the surveyor, "the Plaintiff's site plan overlaps on the land in dispute by 38%". Regarding this overlap, it was urged on this Court by

Counsel for the Plaintiff to accept the explanation given by his expert witness PW1 under cross-examination on page 115 of the ROA: Q: In Exhibit A3, the land plaintiff showed you does not correspond with his land. Is that correct? A: There is a shift. Q: Can you explain the basis of this shift? A: I examined the site plan and I saw that there has been change of the layout of the area so those who were down have to the top because there is now an existing road. Q: I put it to you that the change in the capture of the area must not lead to the shift in plaintiff's site plan. A: The site plan is exactly at its position but what the plaintiff showed has moved up a bit towards the north. Page 12 of 16 In Plaintiff's Exhibit B, tendered on the 11th of March 2015 and at page 246 of the Record of Appeal, the site plan therein shows that the Plaintiff's land is only abutted by a road on the South. In Exhibit C, and on page 252 of the Record of Appeal, the Plaintiff's Land Certificate also had a site plan therein at page 255 of the Record, which also shows that the Plaintiff's land is abutted on the South by a road. On page 255, the said road is named as "Dzorwulu Crescent". The Plaintiff's expert witness, PW1 in Exhibit A on page 242 of the Record of Appeal, observed as follows in paragraph 2 of the report: "On site plan 'B' – referred to property of Theo Q. Armah, situate at Dzorwulu Accra. Area 0.309 Acre. Scale 1: 2500 feet. The site plan was prepared based on Ghana National Grid and when plotted on the same Accra Town Sheet, it fell at Dzorwulu on a portion of the disputed land shown edged Blue. The name of the street on the Southern side is Dzorwulu Crescent". (Emphasis ours). Indeed, a portion of Plaintiff's land indicated on the site plan falls within a road. In this Court, we find per Exhibit CE1/SC that a portion of Plaintiff's land per his site plan falls within an existing road. The basis for the 38% overlap as explained by Plaintiff's witness is plausible and we hold so accordingly. Interestingly, the Defendants' site plan was at least 2000 feet away from the land on the ground as shown to the surveyor. The explanation given by the surveyor which was unchallenged under cross-examination was that the site plan of the defendant as annexed to the Deed Instrument registered in 1962 was in local coordinates and had to be converted to National Coordinates using the prescribed formulae. This explanation was consistent to the evidence given by Plaintiff's expert witness, PW1. A look at Exhibit CE1/SC places Defendant's land completely outside the disputed area by a distance of at least 2000 feet away. This corroborates Plaintiff's claim that his land is different from Defendants' land. In other words, Defendants' claim that their land was the same as Plaintiff's land was not supported by the composite plan. Page 13 of 16 We think that the site plan of the Parties showed the exact location of their respective lands. Unfortunately, the Defendants' land as contained in the registered instruments of their grantor was not the same land claimed by the Plaintiff. This fact is fortified by the unchallenged conclusions reached by the various official searches conducted by Plaintiff using the site plan of the Defendants. These searches and the disclosures as to the transactions carried out on the parcel of land also buttress the Plaintiff's position that the Plaintiff's land is totally different from that which the Osu Mantse purportedly granted to the Defendants in 1960. The said Searches were tendered into evidence as Exhibits D, E, F and G at pages 256 to 270 of the Record of Appeal. Also tendered as Exhibit H, at pages 271 to 273 of the Record of Appeal is another search report conducted by the Plaintiff using the Defendants' site plan which was in the supposed grant made to them by the Osu Stool.

Exhibit “H” shows the transactions on the land covered by their original site plan. From Exhibits D, E, F, G and H we hereby hold that in the resolution of this dispute; that is, the lands claimed by the parties hereto are two different lands, and the Defendants’ documents do not correspond to the land in issue. Instead, the Plaintiff’s grant and document evidencing his grant correspond to the land in issue. The document, Exhibit D, is a Search conducted at the then Lands Commission Secretariat as far back as 1998. The Search on Exhibit D shows that the Defendants’ land is totally different from the Plaintiff’s land in the site plan attached to the Land Title Certificate issued the Plaintiff and tendered as Exhibit C, which can be found on pages 252 to 255 of the Record of Appeal. GROUND 2 This ground is to the effect that the Court of Appeal erred in failing to consider the possessory rights of the mother of defendants from the date of the customary grant in 1953. We note that the parties fought this dispute on their respective pleadings. Nowhere in their pleadings did the Defendants plead adverse possession. Having contested the case as owners in title, we find it disingenuous on the part of the Defendants to, at this stage when defeat stares Page 14 of 16 them in the face, switch gears and now want the Court to consider some possession. At the trial Court, the Defendants did not find it necessary to rely on such possession which will be adverse but not pleaded. In any case, as at 1953 the Plaintiff’s grantors in title had not acquired the disputed land for any adverse possession to operate against them. The evidence on record suggest that it was the Plaintiff who erected the fence wall round the disputed land. The Defendants contended that it was the Osu Stool that erected the fence wall. Why should the Osu Stool fence a piece of land granted to a lessee, whether he or she is a family member or not. The Defendants however did not call any member of the Osu Stool (although they claimed their mother belonged to the Osu Stool family). We find it odd and strange for the Osu Stool to have erected the fence wall and we accordingly reject this contention. We find no merit in the ground

2. Indeed, having found that the land has always been for Plaintiff, nowhere did the Defendants claim adverse possession of this land. The evidence which was unchallenged is that Plaintiff has always defended this land just as his immediate grantor did.

CONCLUSION

In conclusion, we find that based on the new composite plan ordered by this Court, Plaintiff’s land on the ground which is the same as the disputed land overlaps the land as per his site plan by 38%, however, we accept the reason for this overlap. The Defendants’ land is outside the disputed land and different from the land claimed by the Plaintiff. We hold that Plaintiff’s land is not the same as Defendant’s land. The issue of a grant first in time does not arise in this case since the grants by the Osu Stool were not in respect of the same land. Accordingly, we hereby enter judgment for the Plaintiff on his claim. The Counterclaim of the Defendants is hereby dismissed as not being proved. The appeal is dismissed in its entirety. The judgment of the Court of Appeal reversing the judgment of the High Court is accordingly affirmed. (SGD) G. K. KOOMSON (JUSTICE OF THE SUPREME COURT) Page 15 of 16 (SGD) M. OWUSU (MS.) (JUSTICE OF THE SUPREME COURT) (SGD) A. LOVELACE-JOHNSON (MS.) (JUSTICE OF THE SUPREME

COURT) (SGD) PROF. H. J. A. N. MENSA-BONSU (MRS.) (JUSTICE OF THE SUPREME COURT) (SGD) S. K. A. ASIEDU (JUSTICE OF THE SUPREME COURT) COUNSEL JOEL ANNOR-AFARI ESQ. FOR THE PLAINTIFF/APPELLANT/RESPONDENT. PHILIP ADDISON ESQ. FOR THE DEFENDANTS/RESPONDENTS/ APPELLANTS WITH HIM, JUSTICE OTENG & PRINCE NKETIA.

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