

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
ACCRA-A.D. 2025

SUIT NO: C0/000/2025

KWAAME MINTAH
H/NO. 606, LARTEBIOKOSHIE
ACCRA

... PLAINTIFF/RESPONDENT

v.

FILLAH LITMUS
H/NO. 111, ABROKYIRE
ENKYI

... DEFENDANT/APPLICANT

**NOTICE OF MOTION:
APPLICATION FOR EXTENSION OF TIME TO FILE WITNESS STATEMENT**

PLEASE TAKE NOTICE THAT this Honourable Court shall be moved by counsel for Defendant/Applicant herein praying this Honourable Court for an order extending time for the Defendant/Applicant to file his witness statement upon the grounds set out in the accompanying affidavit in support.

And for such further order(s) as this honourable court may deem fit.

COURT TO BE MOVED on thetheday of January, 2025 at 9 o'clock in the forenoon or so soon thereafter as Counsel for the Defendant/Applicant may be heard.

DATED AT THE TOWERS, ACCRA THIS 22ND DAY OF MAY, 2025.

KWAAKU FOFIE, ESQ.,
KWAFO LAW CONSULT
LAWYERS FOR THE DEFENDANT
P/L NO: eGAR0000/25

THE REGISTRAR
HIGH COURT
ACCRA

**AND FOR SERVICE ON THE ABOVE-NAMED PLAINTIFF OR HER LAWYER,
AAMA FOFIE, ESQ. OF AMAFO LEGAL, ACCRA**

CASE & LAW

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ENKYI

... DEFENDANT/APPLICANT

AFFIDAVIT IN SUPPORT

I, Fiifi Mangolane, of House No. 3, Chicago Street, Accra, make oath and say as follows:

1. That I am the Deponent herein and I have the authority of the Defendant/Applicant (herein called the Applicant) to make these depositions of fact which are within my personal knowledge or belief.
2. That at the hearing of this application, Counsel shall seek leave of the Court to refer to relevant processes which have been filed before the Court.
3. That Plaintiff/Respondent caused to be issued out of the Registry of this Honourable Court a Writ of summons accompanied by a Statement of Claim seeking the reliefs endorsed thereon on the 22nd of August 2024.
4. The Defendant filed his Statement of Defence and counterclaim on 8th March, 2015.
5. That on 25th March 2025, Plaintiff filed his Witness statement and Pre-trial checklist.
6. That subsequent to that the Honourable Court ordered the Defendant to also file his witness statement and Pre-trial checklist on or before 20th April 2025.

7. That the Defendant's brother who partook in the entire transaction travelled outside of jurisdiction and it was impossible for the Defendant and his Counsel to discuss the preparation and filing of the Witness statement. Attached and marked as Exhibit AA is a copy of the Defendant's witness travel schedule.
8. That in the circumstance, I humbly pray the Honourable Court to extend the time within which Applicant is to file his witness statement for one (1) month, by which time we believe the Defendant's brother would be in jurisdiction to assist with and sign would have recovered and sign the witness statement for and on behalf of the Applicants.
9. That I verily believe that the mandate to do substantial justice avails jurisdiction to the honourable court and pursuant to the rules of court to extend the time for the filing of witness statement.
10. The grant of this application shall not prejudice the case of the Plaintiff in anyway.
11. That the grant of the application will enable this Honourable Court to effectively and finally determine all the issues in dispute between the parties.

WHEREFORE, I depose to this affidavit in support.

SWORN IN ACCRA, THIS)
DAY OF MAY, 2025.)

DEPONENT

BEFORE ME

COMMISSIONER FOR OATHS