

IN THE SUPERIOR COURT OF JUDICATURE, IN THE HIGH COURT OF JUSTICE (GENERAL JURISDICTION 8) ACCRA HELD ON MONDAY THE 29<sup>TH</sup> DAY OF APRIL, 2024 BEFORE HER LADYSHIP ELLEN LORDINA SERWAA MIREKU, JUSTICE OF THE HIGH COURT

SUIT NO. GJ /0628/2024

TIME: 10:12 AM

EMMANUEL GALLO

.... PLAINTIFF

VS.

ELECTORAL COMMISSION

.... DEFENDANT

Plaintiff present

Defendant absent

Wayoe Ghanamanti Esq. for the Plaintiff/Applicant present

**COUNSEL FOR PLAINTIFF:** We have before you a Motion for Interlocutory Injunction against the Defendant from conducting the Ejisu bye-election slated for 30<sup>th</sup> April, 2024.

The gravamen of applicant's application is that the Respondent is about to conduct the said Election with one Esther Osei who purports to be the candidate for Convention People's Party which fact is inaccurate and contrary to Convention People's Party's constitution. There has been some turn of events.

Even though the applicants submissions are clear that articles 53 (d), 71 (s) and 60 (d) of Convention People's Party's constitution have been breached, and grounds the applicant's Case which is supported by this Court's Ruling in the Case of Convention

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GENERAL JURISDICTION, ECC-ACCR  
29-4-2024

People's Party Vs. Nana Akosua Frimpong dated 11<sup>th</sup> March, 2024 which Ruling this Court was clear that the Central Committee of the Convention People's Party is the directing mind of the party and thus the administrative structure to consider and approve all activities of Convention People's Party and it is the applicant's case that the said Esther Osei that Defendant has on the ballot as the Convention People's Party's parliamentary candidate has not been considered and approved by the Central Committee of Convention People's Party as the Ejisu's parliamentary candidate.

Due to numerous calls on the Plaintiff by even officers of Defendant that the said bye-election has been nationally budgeted for and how far the process had gone they do not defeat the Constitutional principles in Section 53 (d) and 71 (5) of the Convention People's Party constitution yet they called for amicable resolution. A letter by the Paramount Chief of Nandom Traditional Chief, Naa Prof. Edmund N. Dele Chii VIII dated 26<sup>th</sup> April, 2024 is addressed to the Plaintiff. The Paramount Chief was a former Chair of Convention People's Party and now a reputable Paramount Chief calling on Plaintiff carries some introspection within the Convention People's Party.

The same introspection the Plaintiff considers to help with the unity and cohesion within the party.

Based on these happenings and calls, the Plaintiff prays to withdraw the instant application and the Suit even though it is clear that the Defendant cannot legally conduct the elections with an illegitimate candidate purporting to be a constitutionally elected parliamentary candidate in the Ejisu bye-election. I pray accordingly.

**BY COURT:**

The application for Injunction against the Electoral Commission is struck out as withdrawn.

The Suit is also struck out as withdrawn. No order as to cost.

(SGD)  
H/L ELLEN L. S. MIREKU  
JUSTICE OF THE HIGH COURT

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