THE SUPERIOR COURT OF JUDICATURE

IN THE SUPREME COURT

ACCRA-AD 2019

CORAM: ADINYIRA (MRS), JSC (PRESIDING)

DOTSE, JSC

YEBOAH, JSC

BAFFOE-BONNIE, JSC

PWAMANG, JSC

CIVIL APPEAL
NO. J4/21/2019

3RD JULY, 2019

CCW LIMITED ……. PLAINTIFF/RESPONDENT/APPELLANT

VRS

ACCRA METROPOLITAN ASSEMBLY …… DEFENDANT/APPLICANT/RESPONDENT

JUDGMENT

ADINYIRA (MRS.), JSC:-

This is an appeal against the judgment of the Court of Appeal dated 13th June, 2018. The main issue in the appeal is whether, on the facts of this case, the decision of the High Court dated 27th July, 2017 granting leave to the appellant to levy execution against the respondent for the sum of USD9, 201, 815.29 as foreign exchange losses resulting from delay in the satisfaction of judgment obtained by the appellant on 13th February, 2008 is a final order or an interlocutory one. We have given serious

consideration to the submissions contained in the written briefs of the parties and read closely the judgment of the Court of Appeal. The well-settled method for determining the final or interlocutory nature of court decisions in Ghana is the nature of the order approach and that is the one the Court of Appeal applied in this case. We are in agreement with the Court of Appeal that, upon a proper application of the nature of the order approach to the facts of this case, the obvious conclusion is that the decision of the High Court was a final order. In the circumstances, we have decided not to disturb the judgment of the Court of Appeal but to affirm same. Consequently, the appeal fails and is hereby dismissed.

SGN. S. O. A. ADINYIRA (MRS)
(JUSTICE OF THE SUPREME COURT)

DOTSE, JSC:-

I agree with the conclusion and reasoning of my sister Adinyira (Mrs.), JSC.

SGN. V. J. M. DOTSE
(JUSTICE OF THE SUPREME COURT)

YEBOAH, JSC:-

I agree with the conclusion and reasoning of my sister Adinyira (Mrs.), JSC.

SGN. ANIN YEBOAH
(JUSTICE OF THE SUPREME COURT)

BAFFOE-BONNIE, JSC:-

I agree with the conclusion and reasoning of my sister Adinyira (Mrs.), JSC.

SGN. P. BAFFOE- BONNIE
(JUSTICE OF THE SUPREME COURT)

PWAMANG, JSC:-

I agree with the conclusion and reasoning of my sister Adinyira (Mrs.), JSC.

SGN. G. PWAMANG

(JUSTICE OF THE SUPREME COURT)

COUNSEL

TONY LITHUR FOR THE PLAINTIFF/RESPONDENT/APPELLANT.

GRACE EWOAL, PRINCIPAL STATE ATTORNEY FOR THE DEFENDANT/APPLICANT/RESPONDENT.