**13 - 05 - 2015**

**IN THE SUPERIOR COURT OF JUDICATURE, THE SUPREME COURT (CIVIL DIVISION) SITTING IN ACCRA ON WEDNESDAY THE 13TH DAY OF MAY, 2015**

**CORAM: ATUGUBA JSC (PRESIDING), ANSAH, BONNIE, BAMFO & AKAMBA JJSC.**

**CIVIL APPEAL**
**NO. J4/34/2014**

**KINGSFORD ODOI CHARWAY**
**VRS.**
**JAMES OKPOTI MENSAH & ANOR.**

Parties present.
James Ahenkorah for the appellant.
Raphael Alijina for the respondent.

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**BY COURT:**

In this case the motion for substitution sought to be relisted was struck out on 9/10/2012. The appellant filed his motion for relistment on 26/8/2013. In view of such aggravated tardiness the Court of Appeal rightly declined the same. There is no merit in this appeal. The appeal is accordingly dismissed.

No order as to costs.

**(SGD) W. A. ATUGUBA**
**JUSTICE OF THE SUPREME COURT**

**(SGD) J. ANSAH**
**JUSTICE OF THE SUPREME COURT**

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

**(SGD) V. AKOTO-BAMFO (MRS)**
**JUSTICE OF THE SUPREME COURT**

**(SGD) J. B. AKAMBA**
**JUSTICE OF THE SUPREME COURT**