



WRIT OF SUMMONS  
(Order 2 rule 3(1))

WRIT ISSUED FROM.....2020 SUIT No.....

IN THE HIGH COURT OF JUSTICE  
ACCRA

BETWEEN

**ISAAC OWUSU - ANSAH**  
H/N 1 Amasaman  
Accra

**1<sup>ST</sup> Plaintiff**

**MOHAMMED GUMAH**  
H/N 4 Amasaman  
Accra

**2<sup>ND</sup> Plaintiff**

**LOUIS BOAKYE**  
H/N 8 Amasaman  
Accra

**3<sup>RD</sup> Plaintiff**

**AND**

**DIVINE AGORHOME**  
The Regional Chairman  
New Patriotic Party  
Greater Accra Region

**1<sup>ST</sup> DEFENDANT**

**EVANS NIMAKO**  
The Director of Elections  
New Patriotic Party  
National Headquarters

**2<sup>ND</sup> DEFENDANT**

**MICHAEL OFORI ASANTE**  
The Constituency Chairman  
Amasaman Constituency  
New Patriotic Party

**3<sup>RD</sup> DEFENDANT**

**SAMUEL ACQUAH-YOUNG**  
The Constituency secretary  
Amasaman constituency  
New Patriotic Party

**4<sup>TH</sup> DEFENDANT**

**NII OBODAI SAI**  
The Elections Committee Chairman  
Amasaman Constituency, New Patriotic Party

**5<sup>TH</sup> DEFENDANT**



The Plaintiffs claim against the Defendants jointly and severally as follows:

- a) A Declaration that the election held by the Defendants on 15<sup>th</sup> December, 2019 without the final determination of the Rockson Adu Boahen's suit is null and void.**
- b) A Declaration that the results from the conducted election on 15<sup>th</sup> December, 2019 by the Defendants is null and void.**
- c) A Declaration that the Defendants are in contempt of this Honourable Court when they conducted the constituency parliamentary elections on 15<sup>th</sup> December, 2019 while the Rockson Adu Boahene suit and interlocutory injunction application was still pending.**
- d) An order of Interlocutory injunction directed at the 7<sup>th</sup> Defendant, restraining him from holding himself out as the parliamentary candidate of the New Patriotic Party, Amasaman Constituency until the final determination of the present suit.**
- e) An order directed at the Defendants compelling them to hold fresh elections to determine the Parliamentary candidate of the New Patriotic Party for Amasaman constituency.**
- f) Costs including legal fees.**
- g) Any other order(s) this Honourable Court may deem fit.**

This writ was issued by **NII KPAKPO SAMOA ADDO ESQ.**

whose address for service is **ADDO, ADDO [LEGAL ATTORNEYS]  
NO. 34 TEMA MOTORWAY, SPINTEX ROAD, NEXT TO CEMIX GHANA LTD., ACCRA.**

Agent for **THE PLAINTIFF**

Address Number and date of lawyer's current licence. **GAR 01111/20**

Lawyer for the plaintiff **NII KPAKPO SAMOA ADDO** who resides at **ACCRA**  
**ESQ.**

.....  
Indorsement to be made within 3 days after service

This writ was served by me at

on the defendant

on the                                  day of

endorsed the                                  day of

Signed.....

Address.....

NOTE: If the plaintiff's claim is for a liquidated demand only, further proceedings will be stayed if within the time limited for appearance the defendant pays the amount claimed to the plaintiff, his lawyer or his agent or into court as provided for in Order 2 rule 3(2).

**IN THE SUPERIOR COURT OF JUDICATURE  
IN THE HIGH COURT OF JUSTICE  
GENERAL JURISDICTION  
ACCRA- AD 2020**

**SUIT NO:**

BETWEEN

**ISAAC OWUSU - ANSAH**  
H/N 1 Amasaman  
Accra

**1<sup>ST</sup> Plaintiff**

**MOHAMMED GUMAH**  
H/N 4 Amasaman  
Accra

**2<sup>nd</sup> Plaintiff**

**LOUIS BOAKYE**  
H/N 8 Amasaman  
Accra

**3<sup>rd</sup> Plaintiff**

**AND**

**DIVINE AGORHOME**  
The Regional Chairman  
New Patriotic Party  
Greater Accra Region

**1<sup>ST</sup> DEFENDANT**

**EVANS NIMAKO**  
The Director of Elections  
New Patriotic Party  
National Headquarters

**2<sup>ND</sup> DEFENDANT**

**MICHAEL OFORI ASANTE**  
The Constituency Chairman  
Amasaman Constituency  
New Patriotic Party

**3<sup>RD</sup> DEFENDANT**

**SAMUEL ACQUAH-YOUNG**  
The Constituency secretary  
Amasaman constituency  
New Patriotic Party

**4<sup>TH</sup> DEFENDANT**

**NII OBODAI SAI**  
The Elections Committee Chairman  
Amasaman Constituency  
New Patriotic Party

**5<sup>TH</sup> DEFENDANT**

**ELECTORAL COMMISSION OF GHANA**  
Accra

**6<sup>TH</sup> DEFENDANT**

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**STATEMENT OF CLAIM**

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1. The Plaintiffs are members of the New Patriotic Party, Amasaman constituency.
2. The 1<sup>st</sup> Defendant is the Regional Chairman, New Patriotic Party, Greater Accra Region.
3. The 2<sup>nd</sup> Defendant is the Director of Elections, New Patriotic Party, National Head office.
4. The 3<sup>rd</sup> Defendant is the Constituency chairman, New Patriotic Party, Amasaman Constituency.
5. The 4<sup>th</sup> Defendant is the Constituency secretary, New Patriotic Party, Amasaman Constituency.
6. The 5<sup>th</sup> Defendant is the chairman, the Elections committee, New Patriotic Party, Amasaman Constituency.
7. The 6<sup>th</sup> Defendant is the constitutional body responsible for the conduct of the internal elections of political parties in Ghana.
8. The 7<sup>th</sup> Defendant is the purportedly elected Parliamentary candidate, New Patriotic Party, Amasaman constituency.
9. The Plaintiffs say that the Amasaman constituency of the New Patriotic Party opened nominations for the election of a parliamentary candidate for the 2020 national elections in July 2019 and invited interested members of the party in the constituency to apply and pick nomination forms.
10. The Plaintiffs say that one Rockson Adu Boahene, a member of the New Patriotic Party, Amasaman constituency picked nomination forms to contest the position of the parliamentary candidate, Amasaman Constituency of the New Patriotic Party in July 2019.

11. The Plaintiffs say that the said Rockson Adu Boahene sued the New Patriotic Party, Amasaman Constituency in the Human Rights Court in Suit No. HR/0100/2019 seeking for an order of interlocutory injunction against the Respondents therein from organizing any constituency elections.
12. The Plaintiffs say that the said Rockson Adu Boahene also sought for an order that he is a qualified candidate to contest the constituency parliamentary election in the Amasaman Constituency.
13. The Plaintiffs say that the said Rockson Adu Boahene filed an interlocutory injunction application against the New Patriotic Party, Amasaman Constituency from conducting any parliamentary election in the Amasaman constituency until the final determination of his suit.
14. The Plaintiffs say that the Court adjourned the hearing of the interlocutory injunction application and the substantive case to 14<sup>th</sup> January, 2020.
15. The Plaintiffs say that the legal effect of the suit and the pending interlocutory injunction application was that the New Patriotic Party, Amasaman Constituency was estopped from conducting the Constituency parliamentary election until the final determination of Rockson Adu Boahene's suit.
16. The Plaintiffs say that the New Patriotic Party, Amasaman Constituency went ahead to conduct the constituency parliamentary election on 15<sup>th</sup> December, 2019 without the final determination of Rockson Adu Boahene's suit and while the interlocutory injunction application was still pending.
17. The Plaintiffs say that the said Rockson Adu Boahene later withdrew the case from Court on 13<sup>th</sup> January, 2020.
18. The Plaintiffs say that the holding of the parliamentary elections at the time the Rockson Adu Boahene's suit and the interlocutory injunction application were pending rendered the election an illegality and the declared result null and void.

19. The Plaintiffs say that the results of the elections conducted on 15<sup>th</sup> December, 2019 should be nullified since Rockson Adu Boahene's substantive suit and interlocutory injunction application were still pending at the time the constituency elections were held.
20. The Plaintiffs say that the New Patriotic Party, Amasaman Constituency are in contempt of this Honourable Court for holding the constituency parliamentary elections on 15<sup>th</sup> December, 2019 while Rockson Adu Boahene's suit and interlocutory injunction application were still pending.
21. The Plaintiffs say that the New Patriotic Party, Amasaman Constituency should conduct fresh elections to elect their parliamentary candidate for the 2020 national elections since the one conducted on 15<sup>th</sup> December, 2019 was illegal.
22. The Plaintiffs say that unless compelled by this Honourable Court the New Patriotic Party, Amasaman constituency will not nullify the results of the illegal election held on 15<sup>th</sup> December, 2019.
23. The Plaintiffs say that unless compelled by this Honorable Court the New Patriotic Party, Amasaman Constituency will not hold fresh and legal elections to elect a substantive parliamentary candidate for the 2020 National elections.

WHEREFORE Plaintiffs claims against the Defendants jointly and severally as follows;

- h) A Declaration that the election held by the Defendants on 15<sup>th</sup> December, 2019 without the final determination of the Rockson Adu Boahen's suit is null and void.**
- i) A Declaration that the results from the conducted election on 15<sup>th</sup> December, 2019 by the Defendants is null and void.**
- j) A Declaration that the Defendants are in contempt of this Honourable Court when they conducted the constituency parliamentary elections on 15<sup>th</sup> December, 2019 while the Rockson Adu Boahene suit and interlocutory injunction application was still pending.**
- k) An order of Interlocutory injunction directed at the 7<sup>th</sup> Defendant, restraining him from holding himself out as the parliamentary candidate of the New**



**Patriotic Party, Amasaman Constituency until the final determination of the present suit.**

- l) An order directed at the Defendants compelling them to hold fresh elections to determine the Parliamentary candidate of the New Patriotic Party for Amasaman constituency.**
- m) Costs including legal fees.**
- n) Any other order(s) this Honourable Court may deem fit.**

**DATED AT ACCRA THIS 16TH DAY OF JANUARY, 2020.**

**Nii Kpakpo Samoa Addo  
Solicitor for the Plaintiff  
Licence Number: GAR 01111/20**

**The Registrar  
High Court  
General Jurisdiction  
Accra**

**AND FOR SERVICE ON THE ABOVE-NAMED DEFENDANTS.**