

**IN THE SUPERIOR COURT OF JUDICATURE, IN THE HIGH COURT OF JUSTICE,
COMMERCIAL DIVISION, HELD IN ACCRA ON THURSDAY, THE 26TH DAY OF
OCTOBER, 2023 BEFORE HIS LORDSHIP JUSTICE FRANCIS OBIRI**

SUIT NO. CM/RPC/0434/2022

ARLA FOODS LIMITED

-

PLAINTIFF

Vs

DYNASTY COMMERCIALS

COMPANY LIMITED

-

DEFENDANT

RULING

On 26th July 2023, the court ordered the parties to file their pre-trial checklists, witness statements and all documents they intend to rely upon in the case within 21 days. The parties have failed to comply with the Order of the court as at today, 26th October, 2023.

It is trite law, that time limits in court processes are too important for one to ignore. They are meant to prevent delays by keeping the wheels of justice rolling smoothly. If this were not so, parties would initiate actions in court and thereafter go to sleep only to wake up at their own appointed time to continue with such litigation at their pleasure. If this were allowed, litigation could grind to a halt, a sure recipe for confusion and inordinate delays in the due and proper administration of justice.

See: OPPONG v ATTORNEY-GENERAL AND OTHERS [2000] SCGLR 275

Orders setting time limits are to ensure certainty and procedural integrity in the administration of justice. I therefore cannot craft any rule to aid the parties, nor will the end of justice be served if any attempt is made to do so.

See: **DOKU v PRESBYTERIAN CHURCH OF GHANA [2005-2006] SCGLR 700**

I will therefore invoke Rule 1 (3) of C.I 87 and strike out the case for want of prosecution.

SGD.

FRANCIS OBIRI

JUSTICE OF THE HIGH COURT

COUNSEL

PEGGY BOADI FOR SHADRACK ARHIN FOR THE PLAINTIFF

COUNSEL FOR THE DEFENDANT ABSENT

AUTHORITIES

- 1. OPPONG v ATTORNEY-GENERAL AND OTHERS [2000] SCGLR 275**
- 2. DOKU v PRESBYTERIAN CHURCH OF GHANA [2005-2006] SCGLR 700**