CASE ID: 89505

Filed on 23/6/2026
at 1:20 am/pm
Registrar

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
GREATER ACCRA REGION
ACCRA - A.D 2026

10/05/6/2026

Suit No.....

IN THE MATTER OF SECTION 12(3) AND (4) OF THE LAND ACT, 2020 (ACT 1036)

AND

IN THE MATTER OF AN APPLICATION BY MR. ARTIN KASSARDJIAN AND MRS. HAYKOUHE KASSARDJIAN FOR AN ORDER RESTRAINING THE RESPONDENTS FROM UNLAWFULLY EXERCISING CONTROL AND/OR OCCUPYING THE APPLICANT'S LAND

Between:

2000095037

1. MR. ARTIN KASSARDJIAN ... Applicants
   Manet Ville No. B20,
   Spintex- Accra.

2. MRS. HAYKOUHE KASSARDJIAN
   Manet Ville No. B20,
   Spintex- Accra.

And

1. ABDUL RAZAK
   Spintex-Accra.

2. AMOS SOWAH PABLO ANNAN
   Spintex-Accra.

3. THE DEVELOPER
   Spintex-Accra ... Respondents

(Applicants shall direct service)

MOTION ON NOTICE
APPLICATION FOR AN ORDER RESTRAINING RESPONDENT FROM UNLAWFULLY EXERCISING ACTS OF CONTROL AND/OR OCCUPYING LAND BELONGING TO APPLICANT, PURSUANT TO SECTIONS 12(3) AND (4) OF THE LAND ACT, 2020 (ACT 1036)

Take Notice that pursuant to Sections 12(3) and (4) of the Land Act, 2020 (ACT 1036), this Court will be moved on Wed. the 8th day of July ,2026, at 9 O'clock in the forenoon or so soon thereafter as Counsel for the Applicants can be heard on the hearing of an application for

I. an order restraining Respondents, their agents, assigns, privies, hirelings, and all such persons who claim interests from or through them from unlawfully exercising any act of control and/or occupation of Applicants' land particularly described in the affidavit in support;

II. Consequential orders directed at the Respondent to vacate the Applicant's land particularly described in the affidavit in support;

III. An order for the removal of all unauthorised developments from the Applicants' land particularly described in the affidavit in support;

IV. An order of perpetual injunction restraining the Respondent, either by himself, agents and assigns, from interfering with the Applicants' use of land particularly described in the affidavit in support;

V. Cost inclusive of fees;

VI. Any further Order(s) that this Honourable Court may deem meet,

Upon the grounds stated in the accompanying affidavit.

Dated at NexLaw Chambers on this 19th day of June, 2026.

Elvis Adu-Ameyaw
eGAR05070/26
Lawyer for the Applicants

NEXLAW ATTORNEYS
2nd FLOOR, COCOSHEA HOUSE
No.2 AUGUSTINHO NETO CLOSE
AIRPORT RESIDENTIAL AREA
0201742390 / 0553195819

The Registrar
High Court
Accra.

And for service on the above-named Respondents.

Filed 23/6/2026 1:00

Registrar

HIGH COURT, ACCRA
LAND DIVISION - LCC

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
GREATER ACCRA REGION
ACCRA - A.D 2026

Suit No.

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Between:

1. MR. ARTIN KASSARDJIAN
Manet Ville No. B20,
Spintex- Accra.

2. MRS. HAYKOUHE KASSARDJIAN
Manet Ville No. B20,
Spintex- Accra.

... Applicants

And

1. ABDUL RAZAK
Spintex-Accra.

2. AMOS SOWAH PABLO ANNAN
Spintex-Accra.

3. THE DEVELOPER
Spintex-Accra

... Respondents

AFFIDAVIT OF PHILIP AKLADE IN SUPPORT OF APPLICATION FOR AN ORDER RESTRAINING RESPONDENT FROM UNLAWFULLY EXERCISING ACTS OF CONTROL AND/OR OCCUPYING LAND BELONGING TO APPLICANT, PURSUANT TO SECTIONS 12(3) AND (4) OF THE LAND ACT, 2020 (ACT 1036)

I, Philip Aklade of House No.20 Agostino Rd, Accra, do hereby make oath and say as follows:

1. I am the deponent hereto and a clerk of the law firm, Nexlaw Chambers, Lawyers for the Applicants herein and I have the requisite authority of the Applicants to depose to the facts contained in this affidavit in support which

have come to my knowledge in the course of my work, information received from the Applicant and advice received from Counsel for the Applicants unless otherwise stated.

2. At the hearing of this application, Counsel shall seek the leave of this Honourable Court to refer to all processes filed so far in this suit as if the same has been deposed to and annexed herein under oath.

3. The Applicants are Ghanaian citizens ordinarily resident in Accra.

4. The Respondents are trespassers on the Applicants' land and whose station in life remains unknown to the Applicants.

5. The Applicant is the bonafide legal and beneficial owner of all that piece and/or parcel of land situate and lying and being at Okpoi Gonno (otherwise known as East Airport Spintex Road) and containing an approximate Area of 1..271 Acres 0.51 Hectare more or less bounded on the North-East by Assignor's Land measuring 302.4' feet more or less bounded on the South-East by Assignor's Land measuring 181.3' feet more or less on the South-West by Assignor's Land measuring 303.0' feet more or less North-West by a Proposed Road measuring 184.6' feet more or less which said piece of land is more particularly delineated on the Plan attached thereto and thereon shewn edged Pink which shows the relevant measurements (hereinafter referred to as the "Land")..

6. By a Deed of Assignment dated 28th day of March, 2020 between Joemart Estate Limited (the Assignor) and the Applicants as the Lessees, the Applicant acquired the piece of land above described for valuable consideration for its use for the unexpired term of the Lease. Attached and marked as **Exhibit 'A'** is a copy of the Deed of Assignment in favour of the Applicant.

7. I repeat the immediately preceding paragraph and say that the Applicants, subsequent to the Assignment went into immediate possession of the land and deposited building materials thereon towards which they have used for their building project. Attached and marked as **Exhibit "B"** [redacted] are picture showing overt acts of immediate possession of the land by the Applicant.

8. The Applicants have commenced construction on the land and have enjoyed quiet possession of the Land since 2020 without any encumbrance and/or disturbance.

9. The Applicants say that until sometime in June 2026, the Respondents acting with their agents, servants, assigns, workmen, thugs or howsoever described unlawfully entered into the Land and begun removing their building materials from the Land.

10. The Applicants say that they approached the Respondents to cause them to refrain from their unlawful acts all to no avail.

11. The Applicants say that they subsequently lodged a complaint at the Ghana Police Service Headquarters to intervene in the matter. I have attached and marked as **Exhibit "C"** a copy of the said petition.

12. I repeat the immediately preceding paragraph and say that the Respondents have begun demarcating portions of the Land and has commenced foundation works on the Land. Attached and marked as **Exhibit "D [redacted]"** are pictures evidencing same.

13. The Respondents continue to obstruct the Applicants, the lawful owner of the land, from having full access to and use of its land.

14. The unlawful exercise of control over the Applicants' land by the Respondents have caused undue delays in Applicants' construction works, subjecting it to several losses on its investments.

15. The Respondents have evinced a clear intention to continue their unlawful occupation and developments of the Applicants Land unless compelled by the orders of the Court.

16. The Respondents appears determined to continue their unlawful conduct of trespass on Applicants' Land unless restrained by a Court Order evicting and/or compelling the Respondent to vacate Applicant's land.

17. I am advised and verily believe same to be true by Counsel that the Applicants as lawful owners of the land has the right to protect their legal and beneficial interest in the land.

18. I am advised and verily believe same to be true by Counsel that this Honourable Court has the power to restrain the Respondents from unlawfully exercising control and/or occupying Applicant's land on the basis that the Respondent have no interest in the land.

19. In the circumstances, the Applicants pray this Honourable Court for the orders as stated on the motion paper.

Wherefore, I swear to this affidavit in support of the instant application.

Sworn in Accra, this 23rd)
day of June 2026)

Deponent

Before me,

JOSEPH J. APPENTENG
COMMISSIONER FOR OATHS
TEL: 0244437656

Commissioner for Oaths.

Filed on 23/5/2026 1:30 am/pm
Registrar
HIGH COURT, ACCRA
LAND DIVISION - LCC

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
GREATER ACCRA REGION
ACCRA - A.D 2026

Suit No.

IN THE MATTER OF SECTION 12(3) AND (4) OF THE LAND ACT, 2020 (ACT 1036)

AND

IN THE MATTER OF AN APPLICATION BY MR. ARTIN KASSARDJIAN AND MRS. HAYKOUHE KASSARDJIAN FOR AN ORDER RESTRAINING THE RESPONDENTS FROM UNLAWFULLY EXERCISING CONTROL AND/OR OCCUPYING THE APPLICANT'S LAND

Between:

1. MR. ARTIN KASSARDJIAN
Manet Ville No. B20,
Spintex- Accra.

2. MRS. HAYKOUHE KASSARDJIAN
Manet Ville No. B20,
Spintex- Accra.

... Applicants

And

1. ABDUL RAZAK
Spintex-Accra.

2. AMOS SOWAH PABLO ANNAN
Spintex-Accra.

3. THE DEVELOPER
Spintex-Accra

... Respondents

CERTIFICATE OF IDENTIFICATION
Order 20 rule 14(3) of CI 47

I JOSEPH J. APPENTENG Commissioner for Oaths hereby certify that I identified the Exhibit(s) **"A"**, **"B [redacted]"**, **"C"** and **"D [redacted]"**, "attached to the affidavit of the Deponent which was sworn before me.

Dated at Accra this 23rd day of JUNE 2026

Commissioner for Oaths

JOSEPH J. APPENTENG
COMMISSIONER FOR OATHS
TEL: 0244437656

EXH "A"

THIS INDENTURE

DATED THIS..26th..... DAY OF ..March..... 2020

BETWEEN

JOEMAT REAL ESTATE LTD

P.O. BOX CO 2411

TEMA.

AND

MR ARTIN KASSARDJIAN

&

MRS. HAYKOUHE KASSARDJIAN

MANET VILLE NO. B20

OFF SPINTEX ROAD

==========

DEED OF ASSIGNMENT

==========

THIS IS EXHIBIT MARKED "A"
REFERRED TO IN THE AFFIDAV
DATE: 23/3/26
SGD:
COMMISSIONER FOR OATH
HIGH COURT ACCRA, GHAN

SOLICITOR OF THE
SUPREME COURT, GHANA
NANA OFORI AMPEM
(Bsc. Admin, LLB)
JINOB CHAMBERS
P. O BOX 148
ACHIMOTA, ACCRA

LD 9451205541820220C

THIS ASSIGNMENT

Is Made The 26th day of March In The Year Of Our Lord Two Thousand and Twenty (2020) BETWEEN **JOEMART ESTATE LIMITED** Tema – Accra a Limited Liability Company Registered under the Laws of Ghana and Acting per its Chief Executive Officer **MR. KOFI KWAIN** of Accra in the Greater Accra Region of the Republic of Ghana (hereinafter called **"THE ASSIGNOR"** which expression shall where the context so admits or required include his heirs personal representative and assigns of the one part And **MR. ARTIN KASSARDJIAN AND MRS. HA... KASSARDJIAN** both of Accra in the Region aforesaid (hereinafter called **"THE ASSIGNEES"** which expression shall where the context so admits required include his heirs personal representative and assigns) of the other

GHANA GHS 7.50 STAMP DUTY

1. **WHEREAS:-** The hereditaments described in the schedule here... part of all that hereditaments which is the subject matter of Statutory Declaration declared as being the lands of Kle Musum Quarter of Teshie (hereinafter called the Head Lessor) and registered in the Deed Registry as No.1332/1965 and whereas the said Declaration was made in response to the directives of the then Minister of Lands contained in a Notice published in the Lands Concessions Bulletin No.13 of 7th May, 1965 requesting all stools and families to declare any interest held in any land within the Accra-Tema City Council:-

2. **WHEREAS:-** The High Court in suit No.L.993/81 entitled ADJEI KWANKOR II VERSUS IBRAHIM MENSAH KOMIETEH affirmed the validity of the registered Statutory Declaration No.1332/1965:-

3. **WHEREAS:-** By a Lease (hereinafter called the 'Head Lease') dated 27th day of December, 2007 and made between **NUUMO ADJEI KWANKO II and 2 others** (herein called the Lessors) of the Kle-Musum Quarter and the Tse We Family of Teshie of the one part and **SAMUEL KOFI DIAME** the Assignor herein of the other part the land and hereditament hereinafter described was granted to SAMUEL KOFI DIAME for a term of Ninety-Nine (99) Years from the 7th day of December, 2007 Yielding and paying thereof the yearly rent of ₵50.00 per plot:-

4. **ANDWHEREAS:-** By the High Court Judgement dated 8th day of November, in the year of our Lord Two Thousand and Seventeen (2017) in suit No.LD/0424/2-17

between Ransford Addoquaye Addotey, Nii Laryea Botwe and King Dr. Odaifio Welentsi III Versus Falcon Crest Investment Limited, Samuel Kofi Diame and Nuumo Adjei Kwanko II, title in the hereditaments demised in the Headlease was declared in favour of the ASSIGNOR.

5. WHEREAS by the High Court Judgement dated 9th day of July, in the year of our Lord Two Thousand and Eighteen (2018) in Suit No. GJ/182/2018 between Klenam Construction Limited versus Falcon Crest Investment Limited, Samuel Kofi Diame, Nuumo Adjei Kwanko II and 2 others, title in the hereditaments demised in the Headlease was Declared in favour of SAMUEL KOFI DIAME:-

6. And WHEREAS the Assignor **(JOEMART)** herein has registered the larger land hereditaments contained in the Headlease under Land Title Certificate No.GA. 56341 Volume 46 and Folio 271 dated on the 6th day of September, in the year of our Lord Two Thousand and Eighteen (2018):-

7. The Assignor has agreed to assign to the Assignee ALL THAT portion of the larger land hereditaments containing an approximate area of 1.1 acres and more particularly described in the schedule hereto (hereinafter called "the Demised Land") for the unexpired term of the Headlease subject to the payment of the sum indicated herein and the observance of the covenants, conditions and stipulations contained herein.

8. **NOW THEREFORE THIS INDENTURE WITNESSES**

In pursuance of the said agreement an in consideration of the sum of GH¢100,000... paid by the Assignee to the Assignor on or before the execution of this agreement (the receipt whereof the Assignor hereby acknowledges) the Assignor as beneficial owner of the Demised Land grants, and assigns and conveys unto the Assignee ALL THAT piece of land hereditaments containing an approximate area of 0.73 acres and more particularly described in the schedule hereto for the unexpired term of the Headlease commencing the day of in the year of our Lord Two Thousand and Eighteen (2018) subject to the performance and observance of the covenants, conditions and stipulations stated in the Headlease.

9. THE ASSIGNEE HEREBY COVENANTS WITH THE ASSIGNOR that henceforth during the continuance of the term created to observe and to keep indemnified the Assignor against all claims and demands whatsoever in respect of the ground

THE SCHEDULE HEREIN REFER:-

ALL THAT PIECE OF PARCEL OF LAND situate lying and being at OKPOI GONNO (otherwise known as East Airport Spintex Road) and containing an approximate Area of 1.271 Acres 0.51 Hectare more or less bounded on the North-East by Assignor's Land measuring 302.4' feet more or less bounded on the South-East by Assignor's Land measuring 181.3' feet more or less on the South-West by Proposed Road measuring 303.0' feet more or less on the North-West by a Proposed Road measuring 184.6' feet more or less which said piece of land is more particularly delineated on the Plan attached hereto and thereon shewn edged Pink which shows the relevant measurements:-

PLAN OF LAND

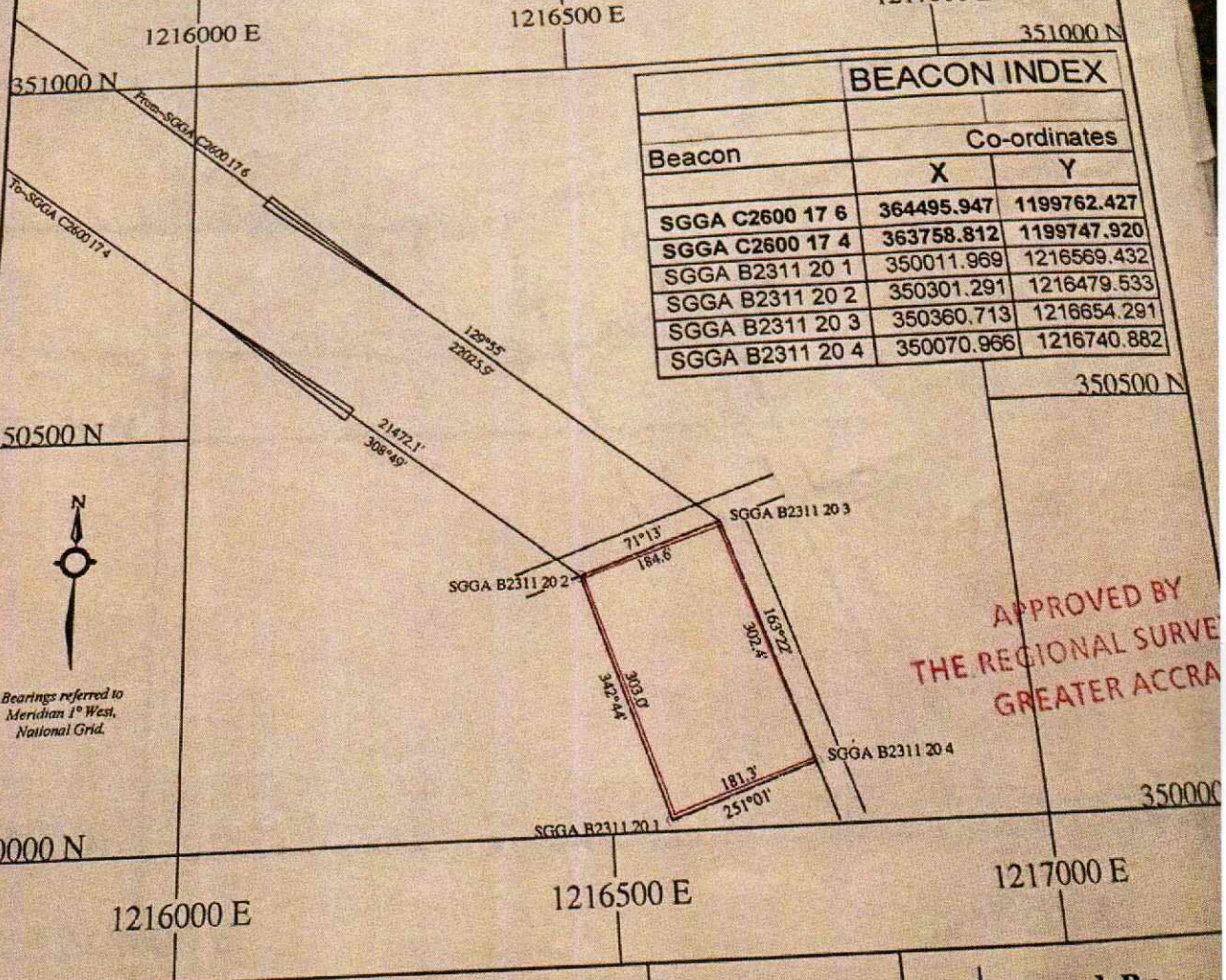
FOR :MR, ARTIN KASSARDJIAN & MRS.HAYKOUHE KASSARDJIAN

— Shewn Edged Pink —

Area = 1.271Acre OR 0.514Hect.

Scale 1 : 2500

LOCALITY	MUNICIPALITY	REGION
SPINTEX	T.M.A	GREATER ACCRA



BEACON INDEX

Beacon	Co-ordinates X	Co-ordinates Y
SGGA C2600 17 6	364495.947	1199762.427
SGGA C2600 17 4	363758.812	1199747.920
SGGA B2311 20 1	350011.969	1216569.432
SGGA B2311 20 2	350301.291	1216479.533
SGGA B2311 20 3	350360.713	1216654.291
SGGA B2311 20 4	350070.966	1216740.882

APPROVED BY
THE REGIONAL SURVE
GREATER ACCRA

I, DANIEL ODOTEI BROWN, *Licensed surveyor certify that this plan is faithfully and correctly executed and accurately shows the land within the limits of the description given to me by my client.*

D. ODOTEI BROWN
LICENSED SURVEYOR
P. O. BOX CT 9416, CANTONMENTS

LICENSED SURVEYOR No: 334.

Date: 03-06-2020

Approved Seal

Approved By

(For: Director of Surv
Regional Head, (GAR
S&MD of LC.

Date: 10.0.....RN 20

Rent and the covenants and conditions or anything relating thereto contained in the Headlease:-

THE SCHEDULE HEREIN REFER:
ALL THAT PIECE OR PARCEL OF LAND situate lying and being at Okpoi Gonno (otherwise known as East Airport Spintex Road)and containing an approximate Area of 0.73 Acre or 0.30 Hectare more or less and bounded on the North-East by Assignor's Land measuring 202.1 feet more or less on the NorthWest by Assignor's Land measuring 1160.1 feet more or less on the South by Assignor's Land measuring 202.1 feet more or less and on the South-East by Proposed Road measuring 21.2 feet more or less as indicated by the Colour Pink on the Plan attached and which shows the relevant measurements:-

IN WITNESS WHEREOF the parties hereto have hereunto set their respective Hands and Seals the day and year first above written:-

SIGNED SEALED AND DELIVERED by **JOEMART REAL ESTATE LIMITED** the Within-named Assignor in the presence of:-

JOEMART REAL ESTATE DEVELOPMENT LIMITED

.....
MR KOFI KWAIN

WITNESSE:

NAME: Samuel K. Diame SIGNATURE: .....

NAME: ..... SIGNATURE: .....

SIGNED SEALED AND DELIVERED by **MR. ARTIN KASSARDJIAN AND MRS. HAYKOUHE KASSARDJIAN** the Within-named Assignees in the Presence of:-

.....
H. Kassardjian.

WITNESSES:

NAME: SIXTUS KAMATEY SIGNATURE: .....
P.O. BOX TS 262
TESHIE - ACCRA

NAME: ..... SIGNATURE: .....

OATH OF PROOF

I, ... of ..... make Oath and say that on the ..... I saw ....., of SPINTEX dully executed the Instrument now produced to me marked "A" and the ..... can read and write.

SWORN AT HO this 27th day of March 2020

.....
DEPONENT

BEFORE ME

REGISTRAR, HIGH COURT

REGISTRAR HIGH COURT ACCRA

IN THE SUPERIOR COURT OF JUDICATURE HIGH COURT

CERTIFICATE OF PROOF

On the 27th Day of March 2020 at ..... O'clock in the ..... Noon this Instrument was proved before me by the Oath of within-named ..... to have been dully executed by the within-named **HUTOR TSISEY AKPABLI**

REGISTRAR HIGH COURT ACCRA

REGISTRAR, HIGH COURT

IN THE SUPERIOR COURT OF JUDICATURE HIGH COURT

EXH "B"

THIS IS EXHIBIT MARKED "B"
REFERRED TO IN THE AFFIDAVI
DATE: 23/6/26
SGD:
COMMISSIONER FOR OATHS
HIGH COURT ACCRA, GHANA

EXH 'C'

NEXLAW

No. 2 Agostinho Neto Close, Airport Residential Area.

Ref: 2026/06-023NL

June 16, 2026

THIS IS EXHIBIT MARKED 'C'
REFERRED TO IN THE AFFIDA
DATE: 23/6/26
SGD:
COMMISSIONER FOR O
HIGH COURT ACCRA, GHA

The Director-General,
Criminal Investigation Department,
Ghana Police Headquarters,
Accra.

Dear Sir/Madam,

PETITION/COMPLAINT OF UNLAWFUL ENTRY ON LAND, TRESPASS, AND STEALING OF BUILDING MATERIALS

We write as Lawyers for and on behalf of Mr. & Mrs. Kassardjian (hereinafter referred to as "Clients) to lodge a formal complaint and petition your office regarding the unlawful entry onto our clients' land and the stealing of building materials by certain individuals.

Our clients are the lawful owners/occupiers of a parcel of land situated at Spintex, Accra, which was acquired through a lease. Our clients commenced construction works on the said property after the acquisition of the land.

On or about 8th June, 2026, our clients discovered that some persons had unlawfully entered the property without our clients' permission or lawful authority. Upon inspection of the site, our clients noticed that several building materials had been removed and stolen.

Our clients have reason to believe that one Ibrahim Abdul Razak (alias Agbeko), Amos Sowah Pablo Annan and other persons acting under their direction and control are connected to this unlawful act. Their conduct amounts to trespass, unlawful entry onto my property, and stealing; contrary to the laws of Ghana.

We respectfully request the Ghana Police Service to investigate this matter thoroughly, identify and apprehend the perpetrators. It is further requested that your institution takes steps to recover the stolen materials where possible and take the necessary legal action against all persons found culpable.

Our clients are prepared to cooperate fully with the investigation and provide all relevant documents, photographs, witness statements, and any other information that may assist in the matter.

We would be grateful for your prompt intervention to protect my property rights and ensure that justice is served.

Thank you for your attention and assistance.

I remain,

NEXLAW ATTORNEYS
2nd FLOOR, COCOSHEA HOUSE
No.2 AUGUSTINHO NETO CLOSE
AIRPORT RESIDENTIAL AREA.
0201742390 / 0553195819

Elvis Adu-Ameyaw
of the Honourable Society of Lincoln's Inn, Barrister (UK); Barrister & Solicitor (GH).

16.06.2026.

2/2.

EXH D

THIS IS EXHIBIT MARKED "D"
REFERRED TO IN THE AFFIDAVIT
DATE: 23/6/26
SGD:
COMMISSIONER FOR OATHS
HIGH COURT ACCRA, GHANA