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THE SUPERIOR COURT OF JUDICSTURE
IN THE HIGH COURT OF JUSTICE
GREATER ACCRA REGION
LAND DIVISION
ACCRA- AD 2026

Suit No.:LD/0580/2026

Between:
HABIB MUSAH ADAMS ... Plaintiff

And

1. DR BENJAMIN ACCAM
2. ALFRED TITI ACCAM
3. ARTIN KASSARDJIAN
4. HAYKOUHE KASSARDJIAN
5. TRESPASSERS
6. GHANA POLICE SERVICE ... Defendants

Filed on 12/1/20 am/pm
at Registrar
HIGH COURT, ACCRA
LAND DIVISION - LCC

STATEMENT OF DEFENCE AND COUNTERCLIAM OF THE 3RD AND 4TH DEFENDANTS

1. Save as hereinafter expressly or by necessary implication admitted, the 3rd and 4th Defendants deny each and every material allegation contained in the Statement of Claim as if same had been set out in extenso and traversed seriatim.

2. The 3rd and 4th Defendants deny paragraphs 1, 2, 3, 4 and 5 of the Plaintiff's Statement of Claim and shall put the Plaintiff to strict proof of the averments therein contained.

3. In further denial of paragraphs 1,2, 3, 4 and 5 of the Statement of Claim, the 3rd and 4th Defendants state that they are the bonafide legal and beneficial owners 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 300.0' 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").

4. By a Deed of Assignment dated 28th day of March, 2020 between Joemart Estate Limited (the Assignor) and the 3rd and 4th Defendants as the Assignees, the 3rd and 4th Defendants acquired the piece of land above described for valuable consideration for its use for the unexpired term of the Lease.

5. The 3rd and 4th Defendants state at all material times prior to their acquisition of the land, the land was vacant, free from encumbrance and without any adverse claim whatsoever from anyone.

6. The 3rd and 4th Defendants deny paragraphs 6, 7, 8, 9, 10 and 11 of the Plaintiff's Statement of Claim and shall put the Plaintiff to strict proof of the averments therein contained.

7. In further denial of paragraphs 6 and 7 of the Statement of Claim, the 3rd and 4th Defendants state that it is the Plaintiff who has rather trespassed unto their land on several occasions in recent times.

8. The 3rd and 4th Defendants state further that upon acquiring the Land, they went into immediate vacant possession of same by building a fence wall around the entire parcel of land and also built a commercial building on a portion of the land while reserving portions of the land for its future use.

9. The 3rd and 4th Defendants say that at all material times from of the construction of their fence wall around the entire parcel of land and their commercial building on portion the land, they have enjoyed quiet possession of the Land since 2020 without any encumbrance and/or disturbance.

10. The 3rd and 4th Defendants state that when they completed the commercial building on the land years ago, they continued to remained in quiet possession and are currently in quiet occupation of the commercial property they built on a portion of their land.

11. The 3rd and 4th Defendants state that sometime in June, 2026 the Plaintiff came unto their land with thugs to unlawfully break into their fenced wall to unlawfully gain access to the portion of land the 3rd and 4th Defendants had reserved for their future use.

12. The 3rd and Defendants repeat the immediately preceding paragraph and say that following the unlawful entry to their land, they caused a criminal complaint to be lodged against the Plaintiff and his thugs at the Ghana Police Service Headquarters.

13. The 3rd and 4th Defendants repeat the immediately preceding paragraph and say that some of the thugs Plaintiff brought on their land were arrested by the Ghana Police Service for the act of unlawful demolishing of fence wall and unlawful entry unto the 3rd and 4th Defendants' land. The thugs were subsequently granted bail by the Ghana Police Service for further investigations.

14. The 3rd and 4th Defendants states that Ghana Police Service made several invitations to the Plaintiff to assist in investigations on the circumstances leading

to his entry unto the land in dispute but the Plaintiff failed to attend any of several invitation made to him by the Ghana Police Service.

15. The 3rd and 4th Defendants state that the Plaintiff acting through with his agents, servants, assigns, workmen, thugs or howsoever described did not cease the unlawful acts of trespass unto the land but begun demarcating portions of the Land to commence foundation works on the Land.

16. The 3rd and 4th Defendants state that they subsequently instructed lawyers to file an application for restraining orders against the Plaintiff and his thugs from trespassing and/or exercising acts of ownership on the land in dispute.

17. The 3rd and 4th Defendants repeat the immediately preceding paragraph and say that the Plaintiff continued to obstruct the 3rd and 4th Defendant, the lawful owners of the land, from having access to their land by the use of thugs and further obstructed the service of the court processes on him whiles seeking to hurriedly develop the land in dispute.

18. The 3rd and 4th Defendants say that the Plaintiff has no interest whatsoever in the land in dispute and appears determined to continue his unlawful conduct of trespass on Land unless restrained by a court order evicting and/or compelling the Plaintiff to vacate the land.

19. The 3rd and 4th Defendant says that the Plaintiff is not entitled to its claim or any at all.

Counterclaim:

13. The 3rd and 4th Defendants repeat paragraphs 1-18 of herein and counterclaim against the Plaintiff as follows:

    a. A declaration of title to 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").

    b. Recovery of possession of all that piece and/or parcel of land described in (a) above.

    c. Damages for trespass

d. Perpetual injunction restraining the Plaintiff, his respective agents, servants, assigns, workmen, thugs or howsoever described from trespassing or interfering with the Plaintiff's use of the Land

e. Costs, including lawyers' fees.

f. Any further relief(s) the court may deem meet.

Dated at Nexlaw Chambers, Accra, this 17th day of August, 2026.

ELVIS ADU-AMEYAW, ESQ.
BARRISTER & SOLICITOR
SUPREME COURT OF GH
No. 2 ACOSTA PINHO NETO CL
ADENTA RESIDENTIAL
TEL: 055 460 5330

Elvis Adu-Ameyaw, Esq.
(eGAR05070/26)
Lawyer for the 3rd and 4th Defendants
Nexlaw Chambers

The Registrar
High Court
Land Division
Accra

And to the above-named:

1. Plaintiff or his Lawyer, Emmanuel Acolatse, Esq of Acolatse@Law, Sefakor Chambers, 34 Afriyie Street, GR-126-3100, Abelenkpe, Near the Taxi Rank, Accra, within Kerosmary Café.
2. 1st Defendant
3. 2nd Defendant
4. 5th Defendant
5. 6th Defendant.