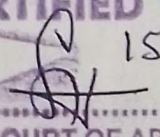


IN THE SUPERIOR COURT OF JUDICATURE
IN THE COURT OF APPEAL
[CIVIL DIVISION]
ACCRA – A.D. 2024

CORAM: NOVISI ARYENE [MRS], JA [PRESIDING]
JEROME NOBLE-NKRUMAH, JA
KWEKU T. ACKAAH-BOAFO, JA

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15-05-24

.....REGISTRAR
COURT OF APPEAL, ACCRA

SUIT NO. H1/289/2023

9TH MAY, 2024

THE REPUBLIC
VRS
THE JUDICIAL COMMITTEE
WASA FIASE TRADITIONAL COUNCIL
[RESPONDENT/RESPONDENT]

EX PARTE
NANA KWEKU GYABENG II
ALIAS COSMOS COOMSON
[APPLICANT/RESPONDENT]

1. EBUSUAPAYIN ASARE OPPONG
 2. NANA KATADAFOUR III
- [INTERESTED PARTIES/APPELLANTS]

[37] Also, my Lords, this court has held that Judicial Review in the nature of certiorari could also be used to quash such void orders. In the case of *Bakuma v. Ekor* [1972]1CLR 133 at 139 CA, Sowah JA (as he then was) said of void orders as follows:

"Against such orders, certiorari can still issue to challenge jurisdiction and the orders made therein; the party affected may even choose to ignore those orders (though I would myself consider it extremely rash to do so..."

iv. Conclusion:

[38] Based on the above reasons, together with the reasons given by my brother Jerome Noble-Nkrumah, JA in the lead judgment, I agree that the appeal fails and must be and is hereby dismissed. In my view, the filing of judicial review by the Respondent to quash the decision of the judicial committee to adopt the arbitration committee's judgment was proper. Also, the judge did not err in granting the application, and the decision of the court below was also not misconceived as contended by the Appellants. I take the view that the court below was right in quashing the decision of the judicial committee of the Wassa Fiase Traditional Council, the Respondent herein.

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15-08-24
REGISTRAR
COURT OF APPEAL

SGD.
KWEKU T. ACKAAH-BOAFO
(JUSTICE OF APPEAL)