

IN THE COURT OF APPEAL OF SIERRA LEONE
Misc. App. 9/2004

BETWEEN:

PATRICK KOROMA

- Applicant

AND:

SIERRA LEONE HOUSING CORPORATION
DOLCIS BECKLEY

- Respondents

CORAM:

Hon Sir John Muria JA
Hon. U.H. Tejan-Jalloh JA

HEARING: 1 April 2004

JUDGMENT: 26 May 2004

Advocates:

Appellant: C.F. Edwards

Respondent: Y.H. Williams

COURT OF APPEAL: Application for stay of execution of judgment – principles applicable – supporting affidavit to demonstrate “special circumstances” justifying grant of stay – the need to balance the interest of a successful party with that of the applicant.
Held:

1. *The principles upon which a stay of execution are well settled in this jurisdiction, that is to say, the applicant must show prima facie good grounds of appeal and that there are special circumstances justifying a stay of execution. These special circumstances must be shown by the supporting affidavit.*
2. *The Court in considering whether to grant a stay or not, will also taken into consideration the need to balance the interest of the successful party with those of the applicant.*