

CC: /17

2017

R.

NO.

IN THE HIGH COURT OF SIERRA LEONE
(LAND AND PROPERTY DIVISION)

BETWEEN

MR.OLUNIYI ROBIN-COKER

VILLA 56

OAU VILLA

HILL STATION

FREETOWN

PLAINTIFF

AND

MR.HECTOR PALMER

NO.15 MACDONALD STREET

FREETOWN

DEFENDANT

COUNSEL:

G. K THOLLEY ESQ FOR THE PLAINTIFF

RULING DELIVERED ON THIS 29th DAY OF June 2017 BY THE
HONOURABLE MR.JUSTICE ERNEST GOODING J.

RULING

This is an application by way of notice of motion dated 28th March 2017 for the following orders:

1. That this honourable court grants liberty to the plaintiff herein to serve a copy of the writ of summons in this action on the defendant by leaving the said copy with any adult person residing at NO.15MACDONALD STREET, Freetown in the WESTERN AREA of the Republic of Sierra Leone being the proper address of the said defendant within the jurisdiction.
2. Any other or further order that this honourable court may deem fit and just in the circumstances
3. That the cost of and occasioned by this application be cost in the cause.

This application is supported by the Affidavit of SAHR BERNARD MONDEH sworn to on the 28th March 2017 together with exhibit SBM 1 which is a copy of the writ of summons dated 3rd day February 2017 instituting this action.

I have perused the documents and exhibit herein and note from the Affidavit of SAHR BERNARD MONDEH sworn to on the 28th March 2017, that unsuccessful attempts have been made to serve the writ of summons on the defendant.

In view of the aforementioned I am satisfied that unless an order is made to dispense with personal service there will be undue delay in this action which is not in the interest of Justice.

I therefore order as follows:

1. That personal service of the writ of summons dated 3rd February 2017, be dispensed with and substituted by the following methods:
 - (a) By leaving a copy of said writ with a named adult residing at No.15 MACDONALD street in the western area of the Republic of Sierra Leone, and who consents to handover the writ of summons to the defendant Mr. Hector Palmer
 - (b) By also pasting a copy of the Writ on the gate/front door of No.15 MACDONALD street Freetown.
 - (c) By two advertisements (editions) in the Awareness times Newspaper
 - (d) Provided the Defendant is on Social media by publishing details of the above mentioned writ ~~herewith~~.
2. The time for entry of appearance shall be 21 days after publication of the second advertisement in the awareness times newspaper
3. Cost in cause.

This order is made pursuant to Order 10 Rule 5 sub rule (1) (2) and (4) of The High Court Rules 2007.



HONORABLE JUSTICE ERNEST GOODING J.