

IN THE NORTH WEST PROVINCIAL COURT OF APPEAL
HOLDEN-AT-BAMENDA

SUIT NUMBER: BCA/ 5^{cc} / 53

BETWEEN:

ADAMU DOHMA)
MALLAM DEWA) APPELLANTS
ARDO DUNI)

and
ALHADJI BABA AHMADOU DANPULLO) RESPONDENTS

NOTICE AND GROUNDS OF APPEAL

TAKE NOTICE that the Appellants being dissatisfied with the decision of the Ndawara-kom Alkali Court of Boyo Division delivered on the 11/04/93, doth hereby appeal to the North West Provincial Court of Appeal, upon the grounds set out in paragraph 3 below and will at the hearing of the appeal seek the relief set out in paragraph 4. below.

AND the Appellants further state that the names and addresses of the persons directly affected by the appeal are those set out in paragraph 5. below.

PART OF THE DECISION COMPLAINED OF: The whole decision of 11/04/93.

GROUNDS OF APPEAL:

- i.) That both the decision complained of were unreasonable and cannot be supported having regard to the weight of evidence.
- ii.) That the Court erred in Law in assuming and exercising criminal jurisdiction.

PARTICULARS OF ERROR:

That the Ndawara Alkali Court erred in law by summoning the Appellants from outside (Ngohketunjia Division), its territorial jurisdiction into its proper jurisdiction (Boyo Division), detaining them in an illegal Cell, preferring criminal charges against them and thereafter trying them in flagrant violation of the Laws on Judicial Organisation.

- iii.) The Ndawara Alkali Court erred in Law in substituting itself for the Plaintiff Complainant and proceeding to pass judgment against the Appellants without allowing them to state their defence.

PARTICULARS OF ERROR:

The Charge/claim of the Respondent was simply stated to the Defendants/Appellants in the absence of the Claimant/Complainant and thereupon the Appellants were found

liable/guilty and ordered to pay 1,500,000frs each for the first and second Appellants and 150,000frs for the third Appellant. An All these on top of 50 and 10 strokes respectively administered on the first and second Appellants.

iii.) That the Court erred in law in admistering corporal punishment on the Appellants.

PARTICULARS OF ERROR

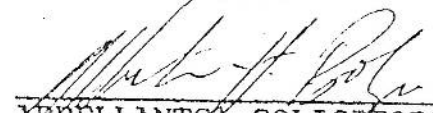
The first and second Appellants were given 50 and 10 strokes of the cane each on the instruction and supervision of the Nawara Court Alkali.

iv.) That further grounds shall be filed upon receipt of records of proceedings.

RELIEFS SOUGHT:

That the decisions of the trial court against which this appeal has been brought, be quashed.

DONE AT BAMENDA THIS 17TH DAY OF APRIL 1993


APPELLANTS' SOLICITORS

ADDRESSES FOR SERVICE:

APPELLANT'S: c/o. Their Solicitors
Abalu-Bobga & Co.
Law Chambers
P. O. Box 315, Bamenda.

1ST RESPONDENT'S: c/o.
ELBA RANCH
NDAWARA KOM
BOYO DIVISION.