



(Order 2 rule 3 (1))

WRIT ISSUED FROM Accra 2025..... SUIT NO

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT JUSTICE
ACCRA

1. SHAMSUDEEN IDRISU
HSE NO. WA 55 MOSHI FONG
WALEWALE

--- PLAINTIFFS

2. BOATENG KWADWO
HSE NO. BA 122, BANTAMA

VRS

THE NEW PATRIOTIC PARTY
NATIONAL HEADQUARTERS
ASYLUM DOWN, ACCRA

--- DEFENDANT

To: THE NEW PATRIOTIC PARTY

AN ACTION having been commenced against you by the issue of this writ by the above-named Plaintiff

1. SHAMSUDEEN IDRISU

2. BOATENG KWADWO

YOU ARE HEREBY COMMANDED that within EIGHT DAYS after service of this Writ on you inclusive of the day of service you do cause an appearance to be entered for you.

THE NEW PATRIOTIC PARTY

AND TAKE NOTICE that in default of your so doing; judgment may be given in your absence without further notice to you.

Dated this 17th day of July 2025

Chief Justice of Ghana

P. BAFFOE-BONNIE
(AG. CHIEF JUSTICE)

*State name, place of residence or business address of plaintiff if known (not P.O. Box number).

** State name place of residence or business address of defendant (P.O. Box number).

NB: This writ to be served within twelve calendar months from date of issue unless, it is renewed within six calendar months from the date that renewal.

The defendant may appear hereto by filing a notice of appearance either personally or by lawyer in form 5 at the Registry of the court of issue of the writ at Accra. A defendant appearing personally may, if he desires, give notice of appearance by post

AND the Plaintiffs claim against the Defendant: -

- a) *A Declaration that on a true and proper interpretation of Article 19 of the Constitution of the New Patriotic Party, an amendment to the Constitution shall be made only at a National Annual Delegates Conference organized in accordance with the provisions of Article 9(25), Article 10(2)(2) and Article 10(2)(5) of the Constitution.*
- b) *A Declaration that on a true and proper interpretation of Article 10(2)(5) of the Constitution of the New Patriotic Party, the Defendant cannot organize a National Annual Delegates Conference without complying with the one-month notice of convening the conference to every Constituency Executive Committee.*
- c) *A Declaration that on a true and proper interpretation of Article 19(b) of the Constitution of the New Patriotic Party, the Defendant cannot organize a National Annual Delegates Conference to amend the Constitution without complying with the one month notice circulation of the proposed amendment to every Regional and Constituency office.*
- d) *An order of the Honourable Court restraining the Defendant from convening a National Annual Delegates Conference to consider proposed amendments into the Constitution without complying with the provisions of Articles 9(25), 10(2)(2), 10(2)(5) and 19(b) of the Constitution.*
- e) *Cost*
- f) *Any other order/s the Honourable Court deems fit.*

DATED AT CHARISBRIT LEGAL CONSULT, KUMASI THIS 14TH DAY OF JULY, 2025.


AGYEMANG DUAH, ESQ.,
SOLICITOR FOR PLAINTIFFS
(PRACTISING IN THE HIGH COURT NO. eASH02662/25)
(CHAMBERS REG. NO. ePP09620/25)

This writ was issued by AGYEMANG DUAH, ESQ.

Whose address for service

**CHARISBRIT LEGAL CONSULT, 2ND FLOOR ROOM
FOUR, THY GLORY PLAZA, ADUM-KUMASI**

Agent for

PLAINTIFFS

Lawyer for the Plaintiff

AGYEMANG DUAH ESQ.

Filed on 17/7/25
8:40
HTC
PLAINTIFFS

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT JUSTICE
ACCRA

1. **SHAMSUDEEN IDDRISU**
HSE NO. WA 55 MOSHI FONG
WALEWALE

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THE NEW PATRIOTIC PARTY
NATIONAL HEADQUARTERS
ASYLUM DOWN, ACCRA

--- **DEFENDANT**

STATEMENT OF CLAIM

1. The Plaintiffs are Ghanaian Nationals and reside at Esiamia in the Western Region and Agona in the Central Region of Ghana Respectively.
2. The Defendant is a political party registered under the laws of the Republic of Ghana as a body corporate with its registered office at Asylum Down.
3. The Plaintiffs are card-bearing members of the Defendant in the Walewale Constituency in the North East Region And Bantama Constituency in the Ashanti Region respectively.
4. The Plaintiffs state that the actions, conducts, membership, structure, organisation, procedures and activities of the Defendant are governed by the Constitution of the New Patriotic Party (hereinafter called "The Constitution").
5. The Plaintiff states that per the Constitution, in every year, at least four (4) weeks prior to the Regional Annual Delegates Conference, there shall be a Constituency Annual Delegates Conference organised by the Party in every Constituency.
6. The Plaintiff states that per the Constitution, in every year, at least four (4) weeks prior to the National Annual Delegates Conference, there shall be a Regional Annual Delegates Conference organised by the Party in every Region.
7. The Plaintiffs state that the Constitution further provides that the National Annual Delegates Conference shall meet once every year, at least four (4) weeks after the last of the Regional Annual Delegates Conference.
8. The Plaintiffs state that on Friday 11th July, 2025, it came to their attention that the Defendant had circulated a flyer on an upcoming National Annual Delegates Conference 2025 to be held on Saturday 19th July, 2025 at the University of Ghana Sports Stadium, Legon, to consider proposals for amendment.
9. The Plaintiffs state that there is a circular on social media purportedly issued on 18th June 2025 from the General Secretary of the Defendant on proposals for amendment to the Constitution of the New Patriotic Party and that although addressed to the constituencies and

regions, the circular was not delivered to the regional and constituency offices as required by constitution per article 19(b).

10. The Plaintiffs states that when the Defendant's previous constitutional amendment exercise was embarked upon, the then General Secretary of the Defendant followed the constitutional provisions by sending to every regional and constituency office, the proposed amendments. This provision is to enable delegates to discuss and digest the proposed amendments prior to the National Annual Delegates Conference to enable them make informed decisions.
11. The Plaintiffs state that per the content of the circular on social media, the Defendant intends to conduct an Extraordinary National Delegates Conference to consider and debate on proposals and accordingly amend portions of the Constitution of the New Patriotic Party.
12. The Plaintiffs state that, per the constitution of the Defendant, every amendment(s) to the party's constitution shall be made at a National Annual Delegates Conference but not an extra ordinary conference.
13. The Plaintiffs state that the circular on social media from the General Secretary of the Defendant making reference to an Extra Ordinary Annual Delegates Conference as the meeting to consider the proposed amendment was wrongly issued and not valid.
14. The Plaintiffs state that article 19 of the Defendant's constitution requires the General Secretary to circulate the proposed amendments to every regional and constituency office at least one month before the National Annual Delegates Conference. This provision has unfortunately not been met as the general secretary has only circulated the proposed amendment on social media and not to every regional and constituency office as required by the constitution.
15. The Plaintiffs state that his interactions with some constituency offices of the Defendant and more particularly the Walewale Constituency and Bantama Constituency Offices revealed that the General Secretary of the Defendant has deliberately refused to circulate the notice of proposed amendment in the required format to every regional and constituency office for their consideration and perusal.
16. The Plaintiffs state that the provisions of article 19(b) of the Constitution have not been met and that the Defendant cannot proceed to hold an annual delegates conference to consider the proposals for amendments of the Constitution.
17. The Plaintiffs state that per the provisions of article 10(2)(5) of the Constitution, the notice convening a National Annual Delegates Conference shall be given to every Constituency Executive Committee by the General Secretary not less than one (1) month before the date of holding the conference
18. The Plaintiffs state that the General Secretary of the Defendant has deliberately failed to give the one (1) month notice convening the National Annual Delegates Conference to every Constituency Executive Committee as required per article 10(2)(5) of the constitution.
19. The Plaintiffs state that article 7(29) of the constitution provides that the organization of the Constituency Conferences allow the relevant party stakeholders within the various constituencies to deliberate on matters affecting the constituencies and also pass resolutions or make recommendations for the consideration of the Regional Annual Delegates Conference.

20. The Plaintiffs state that article 9(27) of the constitution provides that the organization of the Regional Annual Delegates Conferences allow all the relevant party stakeholders within the various regions to deliberate on matters affecting the regions and also pass resolutions or make recommendations for the consideration of the National Annual Delegates Conference
21. The Plaintiffs state that the organization of these Annual Delegates Conferences from the constituency level upwards in the manner prescribed by the constitution is an integral part of the structure of the Party and that it allows inclusion and promotes democratic practices within the Defendant (New Patriotic Party) as all stakeholders get the opportunity to participate in the decision-making processes of the Party.
22. The Plaintiffs state that unfortunately, the Defendant has not organized or caused to be organized Constituency Annual Delegates Conferences and Regional Annual Delegates Conferences in violation of the party's constitution.
23. The plaintiffs state that the National Council of the Defendant, which is the second highest decision making body of the Party is not clothed with the authority to waive the constitutional requirements for the organisation of constituency and regional Annual Delegates Conferences prior to that of a National Annual Delegates Conference and that it is only the National Annual Delegates Conference which is the supreme governing body of the Party (article 10(2)(i)) that has the sole authority to waive such constitutional provisions.
24. That the New Patriotic Party has not demonstrated any exceptional circumstance for the conduct of the National Delegates Conference to amend the Constitution without complying with the express provisions of the Constitution.
25. That the Defendant cannot use financial constraints to set aside relevant provisions of its constitution as that will amount to sacrificing due processes on the altar of financial constraints, a situation that breeds injustice and has the potential of promoting chaos and lawlessness.
26. The Plaintiffs state that the organisation of the National Delegates Conference which is scheduled for July 19th 2025 is unlawful as same contravenes Articles 9(25), 10(2)(2), 10(2)(5) and 19(b) of the Constitution of the Defendant.
27. The Plaintiffs have petitioned the National Executive Council of the Defendant concerning the unlawful conduct of the Defendant however, their grievances are yet to be addressed.
28. The Plaintiffs state that the Defendant has no Defence to the instant action.

Wherefore the Plaintiffs claim against the Defendant as follows: -

- a) *A Declaration that on a true and proper interpretation of Article 19 of the Constitution of the New Patriotic Party, an amendment to the Constitution shall be made only at a National Annual Delegates Conference organized in accordance with the provisions of Article 9(25), Article 10(2)(2) and Article 10(2)(5) of the Constitution.*
- b) *A Declaration that on a true and proper interpretation of Article 10(2)(5) of the Constitution of the New Patriotic Party, the Defendant cannot organize a National Annual Delegates Conference without complying with the one-month notice of convening the conference to every Constituency Executive Committee.*

- c) *A Declaration that on a true and proper interpretation of Article 19(b) of the Constitution of the New Patriotic Party, the Defendant cannot organize a National Annual Delegates Conference to amend the Constitution without complying with the one month notice circulation of the proposed amendment to every Regional and Constituency office.*
- d) *An order of the Honourable Court restraining the Defendant from convening a National Annual Delegates Conference to consider proposed amendments into the Constitution without complying with the provisions of Articles 9(25), 10(2)(2), 10(2)(5) and 19(b) of the Constitution.*
- e) *Cost*
- f) *Any other order/s the Honourable Court deems fit.*

DATED AT CHARISBRIT LEGAL CONSULT, KUMASI THIS 14TH DAY OF JULY 2025


AGYEMANG DUAH ESQ.
SOLICITOR FOR PLAINTIFFS
(PRACTISING CERTIFICATE NO. eASH02662/25)
(CHAMBERS REG. NO. ePP09620/25)

THE REGISTRAR
HIGH COURT
ACCRA

AND COPY FOR SERVICE ON THE DEFENDANT HEREIN.