

IN THE HIGH COURT OF SIERRALEONE

GENERAL CIVIL DIVISION

GENERAL /PARLIAMENTARY ELECTIONS FOR CONSTITUENCY 113
WESTERN URBAN DISTRICT IN THE WESTERN AREA OF THE REPUBLIC
OF SIERRA LEONE HELD ON THE 7TH DAY OF MARCH 2018

BETWEEN

IDRISS SAHID KAMARA - PETITIONER

38 SAFER FUTURE DRIVE

FREETOWN

AND

REGIATU ROSY KANU - 1ST RESPONDENT

49 CEMETRY ROAD

ORUGU

FREETOWN

THE NATIONAL ELECTORAL COMMISSION – 2ND RESPONDENT

TOWER HILL

FREETOWN

NATIONAL RETURNING OFFICER - 3Rd RESPONDENT

NATIONAL ELECTORAL COMMISSION

TOWER HILL

FREETOWN

THE REGIONAL COMMISSIONER – 4TH RESPONDENT

THE NATIONAL ELECTORAL COMMISSION

WESTERN URBAN DISTRICT

FREETOWN


Counsels for the Petitioner – I. Kanu, A. K. Korom, J. J. Campbell, and C. Sawyer and I.F. Sawaneh

Counsels for the 1st Respondent- L. Dumbuya, A. Macauley, B.Koroma, and S.Bah

Counsel for the 2nd, 3rd, and 4th Respondent – D. E. Taylor

Before the Hon. Mr. Justice Mohamed Alhaji Momoh-Jah Stevens J.

Judgment dated the 31st day May 2019

The Petitioner herein Idriss Sahid Kamara a Candidate of the ~~of the~~  Sierra Leone People's Party filed a Petition dated the 20th April 2018 against the 1st Respondent, Honourable Rugiatu Rosy Kanu of the All People's Congress, seeking among other things the 7th March 2018 General / Parliamentary Elections in which the 1st Respondent was duly declared as the elected Member of Parliament of Constituency 113 Western Urban be declared by this Honourable as null and void.

This Honourable Court gave directions that this trial shall be held by Affidavit Evidence.

The Petitioner herein failed to file and served the said Affidavit as directed by this Honourable on the Respondents herein.

Even the Learned Senior Counsel representing the National Electoral Commission asked this Court to dismiss this Petition.

I hold that due to the non-compliance by the Petitioner to serve Affidavit for the trial to be heard and determined, this Honourable Court therefore entered Judgment in favour of the 1st Respondent.

I make the following orders by virtue of Section 78 (1)a of the Constitution of Sierra Leone Act no.6 of 1991;

- 1- The Petition dated the 20th April 2018 filed by the Petitioner against the 1st Respondent is hereby dismissed by this Honourable Court
- 2- That the Honourable Rugiatu Rosy Kanu of the All Peoples Congress shall continue to represent Constituency 113 in the Sierra Leone House of Parliament
- 3- No order as to costs

Stevens J.

Dated-----

Signed-----

3/5-2019
