



CHIEF JUSTICE
SUPREME COURT OF LIBERIA



JUDICIAL BRANCH
TEMPLE OF JUSTICE
MONROVIA, LIBERIA

IN THE HONORABLE SUPREME COURT OF THE REPUBLIC OF LIBERIA
SITTING IN ITS OCTOBER TERM, A.D. 2022

BEFORE HER HONOR: SIE-A-NYENE G. YUOH..... CHIEF JUSTICE
BEFORE HER HONOR: JAMESETTA H. WOLOKOLIE..... ASSOCIATE JUSTICE
BEFORE HIS HONOR: JOSEPH N. NAGBE..... ASSOCIATE JUSTICE
BEFORE HIS HONOR: YUSSIF D. KABA ASSOCIATE JUSTICE

Kalamo Kuyateh, Asatta Kuyateh et al. of the City of)
Monrovia, Montserrado County, Republic of Liberia)
..... Appellants)

Versus)

Momo Bawor also of the City of Monrovia,)
Montserrado County, Republic of Liberia)
.....Appellee)

GROWING OUT OF THE CASE:)

Momo Bawor of the City of Monrovia, Montserrado)
County, Republic of Liberia)
.....Plaintiff)

Versus)

Alhaji Sedike Kuyateh also of the City of Monrovia,)
Montserrado County, Republic of Liberia)
..... Defendant)

APPEAL

PETITION FOR CANCELLATION
OF LEASE AGREEMENT

JUDGMENT

When this case was called for hearing, Counsellor Eugene L. Massaquoi of the JALAW Firm appeared for the appellants. Counsellor Lawrence Yeakula of the Liberty Law Firm appeared for the appellee.

Having carefully examined the facts contained in the records, listened to the arguments on both sides, and considered the evidence and the laws relevant thereto, it is hereby

ADJUDGED:

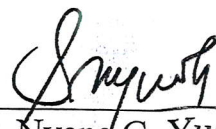
That the law extant regarding the cancellation of a lease agreement provides that cancellation can only be obtained where the lease has been obtained by fraud, misrepresentation or misinformation; otherwise, a lease agreement must specifically stipulate what would constitute a ground for cancellation; and

That the appellee having failed to prove fraud or misrepresentation by the appellants of any provision of the lease agreement, and the said agreement being silent as to an expressed ground for cancellation thereof, the mere allegation by the appellee that the stores constructed by the appellants did not meet the standard anticipated by the appellee is not tenable to warrant the cancellation of the lease agreement.

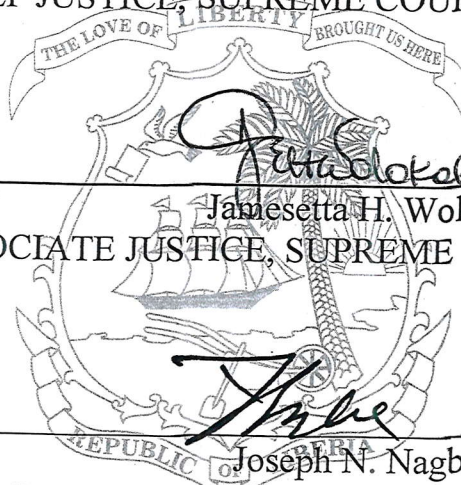
WHEREFORE AND IN VIEW OF THE FOREGOING, the final ruling of the Sixth Judicial Circuit, Civil Law Court, Montserrado County, is hereby reversed. The Clerk of this Court is ordered to send a mandate to the trial court, commanding the judge presiding therein to

resume jurisdiction over this case and give effect to this Judgment. Costs are ruled against the appellee. AND IT IS HEREBY SO ORDERED.

GIVEN UNDER OUR HANDS AND SEAL
OF THE SUPREME COURT OF LIBERIA,
THIS 25th DAY OF JANUARY A.D. 2023.



Sie-A-Nyene G. Yuoh
CHIEF JUSTICE, SUPREME COURT OF LIBERIA



Jamesetta H. Wolokolie
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA



Joseph N. Nagbe
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA

NOTE: Mr. Justice Yussif D. Kaba having presided over this case in the lower court, did not participate in the hearing and determination of this case. Hence, he did not sign this Judgment.