



ASSOCIATE 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 March Term, A.D. 2015

Before: His Honor: Francis S. Korkpor, Sr. Chief Justice
 Before: His Honor: Kabineh M. Ja'neh Associate Justice
 Before: Her Honor: Jamesetta H. Wolokolie Associate Justice
 Before: His Honor: Philip A. Z. Banks, III Associate Justice
 Before: Her Honor: Sie-A-Nyene G. Yuh Associate Justice

Western Steel and Allied Industries Liberia, Inc. by and thru its
authorized Officer, Ebenezer Antwi, of the City of Monrovia,
Republic of Liberia..... APPELLANT

Versus

Nimba County, represented by its Superintendent and the
Nimba County Procurement Committee for the Scrap
Metal Tender..... 1ST RESPONDENT

And

The Public Procurement & Concession Commission and
its Complaints, Appeals & Review Penal, represented by
its Authorized officials, also of the City of Monrovia,
Republic aforesaid..... 2ND RESPONDENT

And

North Star Industries, Inc., represented by its authorized
officials, also of the City of Monrovia..... 3RD RESPONDENT

AND

The Ministry of Justice..... 4TH RESPONDENT

APPEAL

PETITION FOR
THE WRIT OF
PROHIBITION

JUDGMENT

When this case was called for hearing, Counselors Albert S. Sims and Golda
A. Bonah-Elliott of Sherman and Sherman Inc., appeared for the appellant.
Counselor Hector W. Quigcrah, County Attorney for Nimba County, Ministry of
Justice, appeared for Nimba County. Counselor Beyan D. Howard



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appeared for the Public Procurement and Concession Commission (PPCC). Counselor Farmere G. Stubblefield of Stubblefield, Nigba and Associates, appeared for North Star Industries, Inc.

Having carefully reviewed and considered the facts and circumstances of this case, listened to the arguments advanced by counsels for the parties, examined the laws cited and relied on, it is hereby

ADJUDGED:

That the appellant/petitioner, Western Steel and Allied Industries Liberia Inc., was denied the right to due process of law when the appellees/respondents, without issuing notice and service thereof on Western Steel and Allied Industries Liberia Inc. as party of real interest, conducted a hearing and thereupon set aside the status of appellant/petitioner as "most responsive" and therefore not winner of the competitive public bidding for the purchase, removal and disposal of old, unused structures and scrap metals within the Arcelor Mittal Concession area, in Yekepa, Nimba County, Republic of Liberia.

That under the compelling circumstances of this case, appellant/petitioner's petition for a writ of prohibition will lie.



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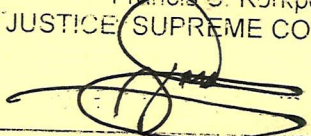
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Accordingly, first, second, third and fourth appellees/respondents are returned to status quo; that is, as at the time appellant/petitioner, Western Steel and Allied Industries Liberia, Inc. was declared winner of the bid for the second time, and therefrom, conduct a hearing into the complaint lodged by North Star Industries, Inc., co-appellee/third respondent.

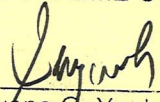
The Clerk of this Court shall issue a mandate to the effect of this judgment. Costs are disallowed. AND IT IS SO ORDERED.

GIVEN UNDER OUR HANDS AND THE SEAL OF THE SUPREME COURT OF LIBERIA, THIS 14TH DAY OF AUGUST, A.D. 2015.


Francis S. Korkpor, Sr.
CHIEF JUSTICE, SUPREME COURT OF LIBERIA


Kabineh M. Ja'neh
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA


Jamesetta Howard Woickolie
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA


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

Note: Mr. Justice Philip A. Z. Banks, III, having ruled in this matter while presiding in the Chambers of this Court, and from which ruling this appeal emanates, did not participate in the hearing and determination of this case. Hence, he did not sign this judgment.