

INC. ENTERPRISES (PTE) LIMITED, by and thru its Attorney-In-Fact, MORGAN,
GRIMES AND HARMON LAW FIRM, Appellant, v. **AFRICAN MERCANTILE**
AGENCIES, by and thru its Manager, Appellee.

JUDGMENT WITHOUT OPINION

Heard: May 24, 1983. Decided: July 7, 1983.

At the call of this case, Counselors John A. Dennis and Joseph Andrews appeared for the petitioner/appellant and Counsellor Joseph Kennedy appeared for the respondents/appellees.

Following the announcement of representation, counsel for appellant requested the Court to take judicial cognizance of appellant's notice of withdrawal of the appeal from the ruling of the Chambers Justice. Consequent upon this withdrawal, it is hereby adjudged that the ruling of the Chambers Justice granting the petition for a writ of certiorari be and the same is hereby confirmed and affirmed and the peremptory writ of certiorari is hereby ordered issued, commanding the judge of the Debt Court for Montserrado County to resume jurisdiction over the case, set aside the erroneous ruling, and dispose of the law issues raised in the pleadings count by count, and rule the factual issues to trial, allowing the parties to establish their respective sides of the case.

The Clerk of this Court is directed to send a mandate to the lower court to resume jurisdiction over this case and to give effect to this judgment. Costs are ruled against the appellant. And it is hereby so ordered.

NOTE: Justice Smith having passed on the petition for a writ of certiorari in Chambers did not participate in the hearing en bane and therefore did not sign this judgment.