

Comfort Uwechue
Olassie
3:09pm
14/11/25

IN THE FEDERAL HIGH COURT
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA

SUIT NO.: **FHC/ABJ/CS/562/25**

IN THE MATTER OF AN APPLICATION BY MRS AKABIKE (SUING AS A GUARDIAN FOR MASTER CHUKWUEMEKALUM ALEXANDER) FOR THE ENFORCEMENT OF THE FUNDAMENTAL HUMAN RIGHTS OF FAIR HEARING AS PROVIDED AND PROTECTED UNDER SECTION 36 OF THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (AS AMENDED) AND UNDER THE INHERENT JURISDICTION OF THIS HONOURABLE COURT

BETWEEN:

CHUKWUEMEKALUM ALEXANDER AKABIKE - APPLICANT
(Suing through his next friend Mrs Ogochukwu Jacinta Akabike)

AND

1. **NIGERIAN AIR FORCE**
2. **GROUP CAPTAIN NU DANJUMA**

} **RESPONDENTS**

**RESPONDENTS' COUNTER AFFIDAVIT AND
WRITTEN ADDRESS**

Filed by:

J-K Gadzama LLP

J-K Gadzama Court,
Plot 1805, Damaturu Crescent by Kobo Way,
Off Ahmadu Bello Way,
Garki 2, Abuja.

E: info@j-kgadzamallp.com

E: mjgadzama@nigerianbar.ng

T: +234 818765199

W: www.j-kgadzamallp.com

(Counsel for the Respondents)



1913 6907 9682

IN THE FEDERAL HIGH COURT
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA

SUIT NO.: **FHC/ABJ/CS/562/25**

IN THE MATTER OF AN APPLICATION BY MRS AKABIKE (SUING AS A GUARDIAN FOR MASTER CHUKWUEMEKALUM ALEXANDER) FOR THE ENFORCEMENT OF THE FUNDAMENTAL HUMAN RIGHTS OF FAIR HEARING AS PROVIDED AND PROTECTED UNDER SECTION 36 OF THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (AS AMENDED) AND UNDER THE INHERENT JURISDICTION OF THIS HONOURABLE COURT

BETWEEN:

CHUKWUEMEKALUM ALEXANDER AKABIKE - APPLICANT
(Suing through his next friend Mrs Ogochukwu Jacinta Akabike)

AND

1. NIGERIAN AIR FORCE	}	RESPONDENTS
2. GROUP CAPTAIN NU DANJUMA		

**RESPONDENTS' COUNTER AFFIDAVIT TO APPLICANT'S AFFIDAVIT IN
SUPPORT OF ORIGINATING MOTION**

1, **Wing Commander Abdullahi Abubakar**, male, adult, Muslim Nigerian of 053 Nigerian Air Force Camp Abuja, do hereby make oath and state as follows:

1. I am a Wing Commander within the service of the 1st Respondent, by virtue of which position I am conversant with the facts to which I depose herein.
2. I have the consent and authority of the Respondents to depose to this Counter Affidavit.
3. The facts deposed to herein are within my personal knowledge and from information supplied to me in the ordinary course of discharge of my responsibilities within the service of the 1st Respondent.
4. I have read the Affidavit in support of the Applicant's Originating Motion, and same is materially inaccurate, and replete with deliberate misrepresentation and suppression of facts.

5. The Respondents admit paragraph 1 of the Applicant's Affidavit only to the extent that the Nigerian Air Force Military School ("AFMS") Jos is owned and managed by the 1st Respondent. Additionally, the Respondents admit that Master Chukuemekalum Alexander Akabike was a student of AFMS Jos until formal investigation into an alleged case of attempted sodomy was initiated against him. The Respondents further deny that the Applicant was expelled by the Commandant of Air Force School Jos at any point in time.
6. The depositions in paragraphs 2, 3 and 4(i) of the Applicant's Affidavit are facts within the personal knowledge of the Applicant.
7. The Respondents deny paragraphs 4 (ii) and (iii) of the Applicant's Affidavit and state that there was no point in time where the Applicant was beaten by his colleagues. The Respondents further admit Paragraph 4 (iii) only to the extent that an allegation of attempting to sodomize Master Abdulateef David was made against the Applicant.
8. The Respondents admit paragraph 4 (iv) of the Applicant's Affidavit only to the extent that an alleged case of attempted sodomy by the Applicant on Master Abdulateef David was reported to the 2nd Respondent on 18 June 2024. The Respondents further deny that any statement was written by the Applicant, which has been marked and attached as "Exhibit A". Exhibit A never emanated from the records of the Respondents.
9. The Respondents deny the depositions contained in paragraphs 4 (v), (vi), (vii), (viii) and (ix), of the Applicant's Affidavit. In specific denial, the Respondents state as follows:
 - a. The Applicant was never expelled from the AFMS. Upon a report of allegation of attempted sodomy levelled against the Applicant, the 2nd Respondent informed the father of the Applicant on the development and in line with the school policy, the Applicant was granted an open pass commencing from 19 June 2024 pending the conclusion of the investigation into the allegation.
 - b. Furthermore, the Applicant's father, Colonel Akabike, was then requested to pick up the Applicant and on 19 June 2024, one Corporal Aributa Sunday of the Nigerian Army and a representative of the father of the Applicant picked up the Applicant from AFMS.
 - c. Upon an open pass granted to the Applicant in order to create an opportunity for proper investigation of the case, the case was

referred to the school's Disciplinary Committee for thorough investigation.

- d. Prior and during the sitting of the Disciplinary Committee to investigate the allegations against the Applicant, request was repeatedly made to the Applicant's father, Colonel Akabike to present the Applicant to the Disciplinary Committee to hear his side of the story, in the interest of justice and fair hearing. However, the Applicant's father refused to present him to the Disciplinary Committee as requested.
- e. The repeated failure of the Applicant to present himself to the school's Disciplinary Committee rendered the investigation inconclusive and it remains open till date as the Applicant is now considered to be at large.
- f. The expulsion of students in AFMS is not done by words of mouth but by an official letter of expulsion duly issued to the expelled student. The Respondents thus reiterate that there is no such letter emanating from the Respondents to the Applicant stating that he has been expelled from AFMS.

10. The deposition in paragraph 5 of the Applicant's Affidavit is within the personal knowledge of the Applicant.

11. The Respondents admit paragraph 6 of the Applicant's Affidavit only to the extent that the 1st Respondent indeed received an appeal from one Dr. Aminu Mahmud, Esq requesting the reinstatement of the Applicant back to the AFMS. In reaction thereto, the Respondents reached out to the Applicant's father to present the Applicant before the Disciplinary Committee in order to dispose of the pending investigation against him but the Applicant's father refused same.

12. The Respondents deny the deposition contained in paragraph 7 of the Applicant's Affidavit. The Respondents state that the School Disciplinary Committee is the established Panel of Inquiry with respect to all disciplinary matters in the school. The Respondents further state that the inability of the Applicant to defend himself is as a result of his refusal to honour the Respondents' invitation and return to the school to face the Disciplinary Committee.

13. The Respondents vehemently deny paragraph 8 of the Applicant's Affidavit and state that there has been no violation of the Applicant's rights in any way, shape or form. The Applicant was given an opportunity to be

heard but failed to take advantage of it. Moreover, neither was the Applicant expelled as the Respondents cannot compel him to return to the school to face the Panel of Inquiry.

14. The Respondents deny paragraph 9 of the Applicant's Affidavit and state that the choice of returning to the school solely rest on the Applicant as there is no official document stating that he has been expelled.
15. The Applicant has failed to produce any official communication of expulsion by the 1st Respondent. The Applicant has also failed to produce any evidence whatsoever of the sitting or proceedings of the 1st Respondent's Disciplinary Committee hearing and the supposed finding to expel the Applicant.
16. The Respondents further state that the failure of the Applicant to return to the school to face the Disciplinary Panel has halted the case and rendered the investigation inconclusive.
17. I depose to this counter affidavit in good faith, conscientiously the content thereof to be true and accurate, and in accordance with the Oaths Act.

DEPONENT

**SWORN TO AT THE REGISTRY OF THE FEDERAL HIGH COUR, ABUJA
JUDICIAL DIVISION**

THIS 7TH DAY OF NOVEMBER, 2025

BEFORE ME

COMMISSIONER FOR OATHS
FEDERAL HIGH COURT
ABUJA

COMMISSIONER FOR OATHS

IN THE FEDERAL HIGH COURT
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA

SUIT NO.: FHC/ABJ/CS/562/25

IN THE MATTER OF AN APPLICATION BY MRS AKABIKE (SUING AS A GUARDIAN FOR MASTER CHUKWUEMEKALUM ALEXANDER) FOR THE ENFORCEMENT OF THE FUNDAMENTAL HUMAN RIGHTS OF FAIR HEARING AS PROVIDED AND PROTECTED UNDER SECTION 36 OF THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (AS AMENDED) AND UNDER THE INHERENT JURISDICTION OF THIS HONOURABLE COURT

BETWEEN:

CHUKWUEMEKALUM ALEXANDER AKABIKE - APPLICANT
(Suing through his next friend Mrs Ogochukwu Jacinta Akabike)

AND

1. NIGERIAN AIR FORCE 2. GROUP CAPTAIN NU DANJUMA	}	RESPONDENTS
--	---	-------------

**WRITTEN ADDRESS IN SUPPORT OF RESPONDENTS' COUNTER
AFFIDAVIT**

1.0 INTRODUCTION

- 1.1 This Written Address is in support of the Respondents' 16 paragraphs Counter-Affidavit in opposition to the Applicant's Originating Motion for fundamental rights enforcement filed on March 21, 2025.
- 1.2 A sole issue is raised for determination herein, whereupon the Respondents urge this honourable Court to dismiss the application of the Applicant in its entirety as unfounded and lacking in merits.

2.0 BRIEF SUMMARY OF FACTS

- 2.1. The relevant facts herein are as stated in the Respondents' Counter Affidavit deposed to by Wing Commander Abdullahi Abubakar.

3.0 ISSUE FOR DETERMINATION

- 3.1 The Respondents hereby formulate a sole issue for determination to wit:

"Whether the Applicant is entitled to the reliefs sought in this application"

4.0 ARGUMENT ON SOLE ISSUE

An application for enforcement of fundamental rights is hinged on the breach or likelihood of breach of fundamental rights, which must be established by the clear facts and evidence

- 4.1. It is well-settled beyond peradventure that an application for the enforcement of fundamental rights is established on facts showing that such rights, as recognised, have been breached, are being breached, or are likely to be breached by another.
- 4.2. In **Lastma v. Omosiwe (2020) LPELR-52129(CA)** (P 10 paras. C-E), the Court succinctly reaffirmed the principle that a person who wishes to petition for the enforcement of his fundamental rights must show that any provision of the fundamental rights under Chapter IV of the Constitution "have been contravened, or is likely to be contravened, and the contravention is in relation to him".
- 4.3. It follows therefore that, for the relief for enforcement of fundamental rights to be cognisable, there must be some contravention of the fundamental rights enshrined in the Constitution in relation to the Applicant, within the purview of either an actual breach or the likelihood of a breach.
- 4.4. In line with the fundamental principle that he who asserts must prove, the onus therefore rests on the Applicant, who must first produce reasonably sufficient and credible evidence before the Court to satisfactorily establish a real and factual breach or likelihood of breach of the right(s) alleged. We refer to the cases of **Onwule v. Otamiri & Ors (2022) LPELR-58558(CA)** (Pp. 25 paras. B); **Okafor v. Lagos State Govt. & anor (2016) LPELR-41066(CA)** (Pp. 28-29 paras. F); and **Onah v. Okenwa (2010) 7 NWLR (PT 1194) 512 at 535-536**.

The allegations by the Applicant are unsubstantiated given that the Applicant was given the opportunity to be heard

- 4.5. The present application is laced with unsubstantiated claims of an alleged breach of the Applicant's right to fair hearing as enshrined in Section 36 of the 1999 Constitution of the Federal Republic of Nigeria (as amended). The Applicant has failed to produce any official communication of expulsion by the 1st Respondent. The Applicant has also failed to produce any evidence whatsoever of the sitting or proceedings of the 1st

Respondent's Disciplinary Committee hearing and the supposed finding to expel the Applicant.

- 4.6 The Respondents in paragraph 9 of the Counter-Affidavit have shown that the Applicant was not expelled and failure of the Applicant to return to the school to face the Disciplinary Panel, despite several invitations, has halted the case and rendered the investigation inconclusive. As such, can it reasonably and truly be said that the Applicant's right to fair hearing has been breached when an opportunity was given to him to present his case and the disciplinary hearing was never concluded because of his absence? Your Lordship, we answer this in the negative because you can only force a horse to the river, but you cannot force it to drink water. The Respondents cannot force the Applicant to return to school and face the Disciplinary Committee.
- 4.7 The Court in **Rabiu v. Aliyu (2017) LPELR-43180(CA)** (Pp 22 - 25 Paras F - A), explained the concept of fair hearing as follows:

"The law is very strong on the rights of a party to be heard and for the hearing to be fair. Indeed, Section 36 (1) of the Constitution of the Federal Republic of Nigeria 1999 enshrines the right of a party, in the determination of his civil rights and obligations, to be given a fair hearing. This right was explained by the Supreme Court in the case of Military Governor Lagos State v. Adeyiga (2012) 5 NWLR, part 1293 page 291 at 379 Para F-H, per Adekeye JSC, as follows: "A hearing cannot be said to be fair if any of the parties is refused a hearing or denied the opportunity to be heard, present his case or call evidence. The right to fair hearing is a question of opportunity of being heard. The right lies in the procedure followed in the determination of a case and not in the correctness of the decision arrived at in a case." The same Court held in the case of Akpamgbo-Okadigbo v Chidi (No. 1) (2015) 10 NWLR Part 1466 page 197-198 para G-B per M.D. Muhammad JSC, as follows: "..it is trite that where a person's legal rights or obligations are challenged he must be given full opportunity of being heard before any adverse decision is taken against him with regard to such rights or obligations. This "audi alteram partem" principle as guaranteed under Section 36(1) of the 1999 Constitution as amended, remains a binding and indispensable requirement of justice applicable to and enforceable by all Courts of law. The principle affords both sides to a dispute ample opportunity of presenting their case to enable the enthronement of justice and fairness. In the application of the principle, a hearing is said to be fair and in compliance with the dictates of the Constitution when, inter-alia, all the parties to the disputes are given a hearing or an

opportunity of a hearing. If one of the parties is refused or denied a hearing or the opportunity of being heard, the Court's proceedings being perverse will be set aside on appeal." (Emphasis ours)

- 4.8 On the instance where it cannot be said that a right to fair hearing has been breached, the Court in **Bello v State (2020) LPELR-50287(CA)** (Pp 36 - 41 Paras A - E), held as follows:

"The fact that Appellant was given an opportunity to state and allege that he was beaten means he was given a hearing. Fair hearing was described in the case of FMBN & ANOR V OWODUNNI (2018) LPELR-44556(SC) thus: "By Section 36(1) of the Constitution of the Federal Republic of Nigeria (Promulgation) 1999 as amended it is guaranteed that in the determination of his civil rights and obligations, including question or determination by or against any government or authority, a person shall be entitled to fair hearing within a reasonable time by a Court or other Tribunals established by law in such manner as to secure its independence and impartiality. Fair hearing means a trial conducted according to all the legal rules formulated to ensure that justice is done to the parties to the cause. It does not matter whether the Panel is Administrative or quasi criminal Panel or body. The principle of fair hearing is that both sides must be given an opportunity to present their respective cases... It implies that each side has the right to know what case is being made against it and be given ample opportunity to react or respond thereto." In other words equal opportunity must be given and accorded all sides to the dispute before a Court of law or before Disciplinary Committee, Administrative Panel and the likes in accordance with the dictates of Section 36(1) of the 1999 Constitution as amended. Where it is proved that a Party was not accorded or given opportunity to defend himself before a Court or Tribunal, the proceedings of such Court, Tribunal, Panel or Ad Hoc Committee would be rendered a nullity and will be vacated or set aside forthwith. The term, fair hearing, is a recurring decimal in criminal cases because, it is a fundamental right guaranteed to citizens under the Constitution, and a breach of which will nullify the proceedings in favour of a victim, therefore, it is very easy for lawyers and litigants alike to come crying to an appellate Court that their right to fair hearing has been violated. But "fair hearing" is not just an expression of mere rhetoric or empty verbalism: it cannot be construed outside the facts, and a Party alleging the breach must show clearly that the said right is violated or breached - see Gbadamosi V. Dairo (2007) 3 NWLR (Pt. 1021) 282 SC. In other words, it is not enough for a Party alleging such a breach to merely mention fair hearing, and expect this Court to automatically side with him and determine the case in his favour: just for the asking. The facts

of his case must show that the said right was indeed violated. But more often than not, the cry of lack of fair hearing is misleading, as this Court made very clear in Adebayo V. A.-G., Ogun State (supra). - - - Circumstances where a Party cannot be heard to complain of being denied the right to fair hearing were stated by the Apex Court as follows: "I said it in the past and will say it again that the duty of the Court, trial and appellate, is to create the atmosphere or environment for a fair hearing of a case, but it is not the duty of the Court to make sure that a Party takes advantage of the atmosphere or environment by involving himself in the fair hearing of the case. A Party, who refuses or fails to take advantage of the fair hearing process, created by the Court, cannot turn around to accuse the Court of denying him fair hearing. This is not fair to the Court, and counsel must not instigate his client to accuse the Court of denying him fair hearing. After all, there is the adage that the best the owner of the horse can do, is to take the horse to the water, he cannot force it to drink the water. The horse has to do that by itself and by the act of sipping. If the horse is unwilling to sip, that ends the matter." (Emphasis ours)

- 4.9 Therefore, the Applicant, having been given the opportunity to be heard⁴⁴ and decided not to take advantage of it cannot now turn around and allege the breach of his fundamental right to fair hearing. The Applicant cannot simply be allowed to eat his cake and have it. We urge My Lord to so hold.

Whether the Applicant has satisfactorily proved his case to entitle him to compensation of N10,000,000.00 or any other amount?

- 4.10 Your Lordship, we respectfully submit that this issue be resolved in the negative.
- 4.11 Preliminarily, kindly permit us, your Lordship, to pose a rhetorical question: Can an Applicant go beyond declaratory reliefs to claim compensation for the anticipated violation of his fundamental human rights? We certainly do not think so especially in relation to the facts of this matter; we urge this honourable Court to so hold. We specifically refer your Lordship to the bulk of the unsubstantiated facts deposed to in the affidavit in support of the application by the Applicant. The⁴⁵ affidavit merely avers unfounded and unsupported allegations of violation against his Fundamental Human Rights.
- 4.12 The guiding principles for the award of damages for any breach of a person's fundamental human rights has been laid down in a plethora of cases. But first, it must be shown by the Applicant that there was indeed a violation of the said right. The standard of proof as consistently reiterated by the Courts is a preponderance of evidence or balance of probabilities. We refer your Lordship to the case of **Fortis Microfinance Bank v.**

Armaefula & Ors (2021) LPELR-52780(CA) wherein his Lordship, per **ABIMBOLA OSARUGUE OBASEKI-ADEJUMO, JCA (Pp 37 - 38 Paras C - E)** held as follows:

*"The 1st Respondent brought the application under the fundamental human rights procedure rules, wherein the burden of proof is the same as in civil matters, it is strictly proved before the burden of justification arises on the part of the Appellant. The law does not change, in that he who alleges must prove." Can it be said that the 1st Respondent has proved the allegation of breaches or threat to breaches? It is a trite principle of law that in civil matters, the standard of proof is that of preponderance of evidence only; See; **AMOKOMOWO v ANDU** (1985) LPELR - 469 (SC); **OMOTOYE v ABC (TRANSPORT CO) LTD** ? (2009) LPELR - 8269 (CA); **ENWEZOR v ENWEZOR & ANOR** (2012) LPELR - 8544 (CA). Furthermore, in civil cases the burden of proof shifts. See; **INYANG v CHINA CIVIL ENGINEERING CONSTRUCTION CO.** (2020) LPELR - 49694 (CA). In **WILLIAMS & ANOR v USEN** (2018) LPELR - 46163; "Notably, the burden of proof (onus probandi) of the breach of fundamental right of a citizen resides in an applicant, id est, the respondents in this appeal, see **Fajemirokun v. C.B. Nig. Ltd** (supra); **Lafia Local Govt. v. Gov., Nasarawa State** (supra); **Jim-Jaja v. C.O.P, Rivers State** (supra). The standard of proof is on the balance of probability or preponderance of evidence, see **Arowolo v. Olowokere** (2012) All FWLR (Pt. 606) 398." per **OGBUINYA, J.C.A (P. 12, PARAS. E - F)**"*

4.13 We refer your Lordship further to the cases of **Kalu & Ors v. Anya & Anor** (2022) LPELR-57617(CA); **Onwe & Ors v. Eze & Ors** (2022) LPELR-57248(CA).

4.14 Your Lordship will observe that aside the facts stated in the Applicant's affidavit, no more has been placed before this honourable Court to establish the existence of the facts alleged and the substantial proof of them. The Applicant has nothing aside his unsubstantiated allegations that the Respondents breached his fundamental rights; all amounting to a mere *ipse dixit*. The position of the law is clear on the fact that while an *ipse dixit* is admissible evidence, where it is unsubstantiated and requires further proof, the party alleging must supply further proof else the court will not act on it. The Court of Appeal Per **CORDELIA IFEOMA JOMBO-OFO, JCA (Pp 46 - 46 Paras A - E)** emphatically held this principle in **WEMA BANK PLC v. FOLORUNSO** (2013) LPELR-22040(CA) thus:

*"In **DEBS vs. CENICO LTD.** (1986) 3 NWLR (Pt.32) 846 at 853-854 PARAS. H-A, Oputa, JSC expounded the law thus: "Now *ipse dixit* literally means he himself said it. It is thus a bare assertion resting on the authority of an individual. There can be no question that a*

"mere ipse dixit" is admissible but it is evidence resting on the assertion of the one who made it. Where there is need for further proof "a mere ipse dixit" may not be enough...." Indeed the ipse dixit evidence of the respondent is full of contradictions either taking it alone or taking it alongside the content of Exhibit P6. In circumstances of this nature the entire evidence of the witness as in the instant case ought not be relied upon and or believed."

- 4.15 We therefore submit, your Lordship, that considering the arguments canvassed and authorities cited, the Applicant has failed to establish that the Respondents violated any of the said rights as provided under the 1999 Constitution (as amended), and thus not entitled to any compensation.

The Applicant is not entitled to the reliefs sought

- 4.16 Finally, the question of infringement of fundamental rights is largely a question of fact and does not depend on the dexterous submission of Counsel on the law. So it is the facts as disclosed by the affidavit evidence that is examined, analysed and evaluated to see if the fundamental rights have been eviscerated as claimed or otherwise dealt with in a manner that is contrary to the Constitutional and other provisions on the fundamental rights of an individual. We refer to the cases of **Okafor v. Lagos State Govt & Anor (2016) LPELR-41066(CA)**; **Mirchandi v. IGP & Ors (2021) LPELR-54016(CA)** (Pp. 19-20 paras. E); and **Kumo & Anor v. EFCC & Anor (2023) LPELR-60496(CA)** (Pp. 39 paras. B).
- 4.17 It is on the strength of the foregoing that we submit that the insufficiency in the affidavit evidence in support of the application is fatal to the Applicant's case, as there is nothing to support the reliefs claimed. Accordingly, such application would be liable to a dismissal, as was affirmed in **Dangana v. A.G. & Commissioner for Justice, Kaduna State & Anor (2022) LPELR-58295(CA)** (Pp. 26 paras. C-E).

5.0 CONCLUSION

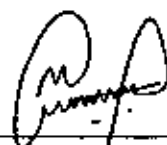
- 5.1 We therefore conclude that the Applicant's application is unfounded, and we urge this Court to dismiss it in its entirety for lacking in merit.

6.0 LIST OF AUTHORITIES

1. **Bello v State (2020) LPELR-50287(CA)**
2. **Dangana v. A.G. & Commissioner for Justice, Kaduna State & anor (2022) LPELR-58295(CA)**
3. **Fortis Microfinance Bank v. Amaefula & Ors (2021) LPELR-52780(CA)**;
4. **Kalu & Ors v. Anya & Anor (2022) LPELR-57617(CA)**;
5. **Kumo & anor v. EFCC & anor (2023) LPELR-60496(CA)** (Pp. 39 paras. B)

6. Lastma v. Omosivwe (2020) LPELR-52129(CA)
7. Mirchandi v. IGP & Ors (2021) LPELR-54016(CA)
8. Ojo v. Abdulazeez & ors (2023) LPELR-59557(CA)
9. Okafor v. Lagos State Govt & anor (2016) LPELR-41066(CA)
10. Onah v. Okenwa (2010) 7 NWLR (PT 1194) 512
11. Onwe & Ors v. Eze & Ors (2022) LPELR-57248(CA);
12. Onwule v. Otamiri & ors (2022) LPELR-58558(CA)
13. Rabi v. Aliyu (2017) LPELR-43180(CA)

DATED THIS MONDAY, THE 3RD DAY OF NOVEMBER, 2025



Joe-Kyari Gadzama, OFR, MFR, SAN, FNIALS, FCIMC, DiplCarb, FCIArb,

Oluniyi Adediji, Esq.;

Darlington Onyekwere, Esq.;

Chidera Mgbe, Esq.;

Mark Chidi Agbo, Esq.;

Jerry Ombugadu Musa, Esq.;

Madu Joe-Kyari Gadzama, Esq. [SIGNED];

Lamar Joe-Kyari Gadzama, Esq.;

Sarah Jeta Atunga, Esq.;

Onyekachi Agbonma Eluwa, Esq.;

Hajara Mohammed Sani Sorondinki, Esq.;

Gideon Ohiani Agbedo, Esq.;

Victor Okon Daniel, Esq.;

Tabji Simon Baltai, Esq.

(For the Respondents)

J-K Gadzama LLP

J-K Gadzama Court,

Plot 1805, Damaturu Crescent by Kabo Way,

Off Ahmadu Bello Way,

Garki 2, Abuja.

E: info@j-kgadzamallp.com

E: mjgadzama@nigerianbar.ng

T: +234 8187 651 999

W: www.j-kgadzamallp.com

FOR SERVICE ON:

The Applicant

C/o their counsel

Dr. Abdul Mahmud, Esq.,
Liberty Semper Fidelis LP,
Plot 8 Veterinary Building,
Zambezi Crescent,
Maitama, Abuja.
08159960386; seunawolade@nigerianbar.ng