

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA**

SUIT NO: CV/230/26

BETWEEN

1. DR. GREG UKEL ANGIATING
2. MR. GIFT UNIMKE ANGIATING
3. MISS PRISCA BIWOM ANGIATING

*(Suing as Administrators of the Estate of Late
Ashib Godwin Angiating)*

CLAIMANTS

AND

1. PREMIUM PENSION LIMITED
2. MRS. FELICIA ABIYE ANGIATING

DEFENDANTS

COUNTER-AFFIDAVIT

I, Amira Fatima Aboki, Female, Nigerian, adult, of Premium Pension Limited, No. 4 A'wgu Close, Off Faskari Crescent, Area 3, Garki, Abuja, do hereby make oath and state as follows:

1. That I am a Legal Officer, in the Legal Department of the 1st Defendant and by virtue of my position, I am conversant with the facts and circumstances of this case.
2. That I have the authority of the 1st Defendant to depose to this Counter-Affidavit in opposition to the Claimants' Originating Summons.
3. That I have read the Originating Summons together with the Affidavit in Support filed by the Claimants and I state that the 1st Defendant denies the material allegations contained therein, save only facts relating strictly to identification of parties and records in its custody.
4. That the 1st Defendant is a Pension Fund Administrator duly licensed by the National Pension Commission (PenCom), regulated under the Pension Reform Act 2014 (PRA), and is the administrator of the Retirement Savings Account (RSA) of the late Ashib Godwin Angiating, bearing PIN: PEN100060918055.

3100
1/6/2022

5. That upon the death of the deceased on 4th December 2021, the 1st Defendant was confronted with multiple and conflicting claims from different persons asserting entitlement to the pension benefits of Late Mr. Ashib Godwin Angiating.
6. That from the 1st Defendant's official records, the deceased had nominated Felicia Abiye Angiating (wife) and Gregory Ukeh Angiating (son) as his Next-of-Kin. However, subsequent claims were made by other individuals Dr. Greg Ukeh Angiating, Mr. Gift Unimke Angiating, and Miss Prisca Biwon Angiating who presented themselves as administrators of the estate and relied on a Letter of Administration dated 10th October 2024. **A copy of the letter of Administration is hereby attached as Exhibit A.**
7. That this contradiction between the Next-of-Kin recorded in the 1st Defendant's database and the persons presenting themselves as administrators of the estate created a material conflict as to rightful beneficiaries.
8. That the 1st Defendant is not a beneficiary of the deceased's pension funds, has no proprietary interest therein, and only acts in a fiduciary and regulatory capacity strictly subject to extant pension laws and guidelines.
9. That following the competing claims, the 1st Defendant received correspondence from the Claimants' solicitors (IKECHUKWU EZECHUKWU SAN & CO) dated 31st August 2022 and 7th November 2024, together with the said Letter of Administration, as well as subsequent letters advising against payment to the Claimants. Copies of these letters are attached as **Exhibit B1, B2, B3 AND B4.**
10. That these documents are mutually conflicting with the records of the 1st Defendant and have placed the 1st Defendant in a position where it cannot lawfully release the pension funds without a clear judicial determination.
11. That the 1st Defendant therefore placed the deceased's RSA on hold in compliance with the Revised Regulation on the Administration of Retirement and Terminal Benefits, which requires PFAs to verify the identity of Next-of-Kin or legal beneficiaries against their database and, where

discrepancies exist, to contact the recorded beneficiaries and suspend payment until resolution.

12. That the dispute before this Honourable Court is fundamentally a beneficiary dispute involving determination of entitlement between competing claimants, and not any wrongful act by the 1st Defendant.
13. That the 1st Defendant has at all times acted in good faith and strictly within its statutory mandate, without favouring any party or taking sides in the dispute.
14. That the issues raised in this suit involve serious and material disputes of fact, particularly as to who the rightful beneficiaries of the deceased are, which cannot be resolved on affidavit evidence alone.
15. That the affidavit evidence supporting the Originating Summons contains not only disputed facts but also legal conclusions and argumentative statements.
16. That the Claimants have not shown any breach of duty, contractual obligation, or statutory violation by the 1st Defendant capable of giving rise to a cause of action.
17. That the 1st Defendant, being a neutral statutory Pension Fund Administrator, cannot be compelled to determine competing claims of inheritance or estate entitlement outside a valid court order or probate instrument.
18. That the continuation of this suit against the 1st Defendant is unnecessary, oppressive, and constitutes an abuse of the process of this Honourable Court.
19. That the 1st Defendant has been compelled to incur legal expenses, devote administrative resources, and suffer inconvenience in defending a suit in which no enforceable cause of action has been disclosed against it. A copy of the invoice evidencing these expenses is attached herewith as **Exhibit C**.
20. That the Claimants have failed to disclose any reasonable cause of action against the 1st Defendant, no breach of statutory duty, contractual obligation, or wrongful act having been established against the 1st Defendant.

21. That the continued inclusion of the 1st Defendant in this suit is unnecessary, oppressive, and constitutes an abuse of the process of this Honourable Court.
22. That I depose to this affidavit in good faith, believing its contents to be true and correct in accordance with the Oaths Act.

[Signature]

DEPONENT

Sworn to at the Registry of the
FCT High Court, Abuja,
this 1 day of June 2026.

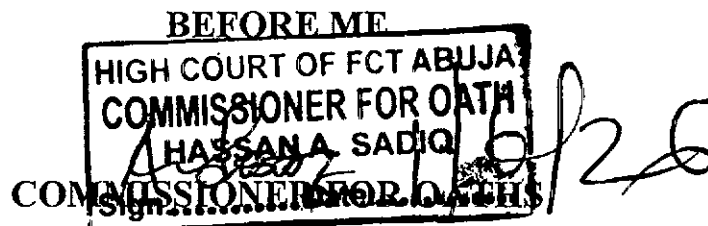
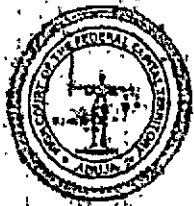


EXHIBIT A



Probate Registry High Court Federal Capital Territory, Nigeria Plot 426, Tigris Crescent, Maitama, P.M.B. 89, Abuja.



Reference number: FCT/HC/PM/1980/2022

THE ESTATE OF: ANGIATING GODWIN (AKA) ANGIATING ASHIB GODWIN (AKA)
GODWIN A. ANGIATING
CATEGORY: BEBEJAGBONG VILLAGE OBUDU, CROSS RIVER STATE
PLACE OF DEATH: NNPC MEDICAL SERVICES, MAITAMA, ABUJA
DATE OF DEATH: 4TH DAY OF DECEMBER, 2021

(PURSUANT TO ORDER 62 AND ORDER 64)

GRANT OF LETTER OF ADMINISTRATION (WITHOUT WILL)

BE IT KNOWN that at the date hereunder written, letter of Administration of all the personal and real movable and immovable property of the above-named deceased, as annexed in the continuation sheets to these presents, was/were GRANTED to:

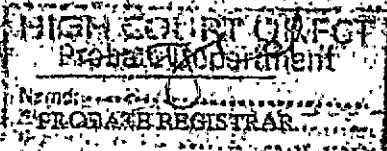
MR ANGIATING GIFT UNIMKE (AKA) MR GIFT UNIMKE ANGIATING of
PEACE COURT EST. LOKOGOMA ABUJA and MS ANGIATING PRISCA
BIWOM (AKA) MISS PRISCA BIWOM ANGIATING of PEACE COURT EST.
LOKOGOMA ABUJA as administrators, being the SON and DAUGHTER

The administrators having been first sworn well and faithfully to administer the same by paying the just debts of the deceased and distributing the residue of the deceased's property according to law and render a just and true account of his/her administration whenever lawfully required.

With leave obtained from the Chief Judge of the Federal Capital Territory.

DATED THIS

Day of OCT, 2024



HIGH COURT OF THE FCT
CERTIFIED TRUE COPY
PROBATE

Name

Signature

Date



High Court of FCT
Probate Registry



IN RE: JAY

Reference number: FGT/HC/PM/1980/2022

DEATH BENEFITS

FEDERAL COLLEGE OF EDUCATION OBUBU (RTD)

PENSION CONTRIBUTION

PREVIUM PENS LTD LIMITED 100060918055

SCHEDULE OF FEES

Legal Notice (Deposit) Fee	(as may be determined from time to time)
Application Fee	N1,500.00
Swearing and Filing Inventory	N500.00
Swearing and Filing Next of kin Form	N500.00
Swearing and Filing Administration Oath	N500.00
Filing Administration Bond	N600.00
Assenting Signature on Bond	N500.00
Justification of Sureties	N
Swearing Deponents on Justification of Sureties	N500.00
Filing Particulars of Realty	N500.00
Filing Death Certificate	N
Drawing up Order for Grant	N500.00
Estate Fee	N
TOTAL	N5,500.00

Abuja Receipt Number: Z 12595080-dated 29/08/22

HIGH COURT OF FCT
Probate Department
PROBATE REGISTRAR

COURT OF THE FCT
CERTIFIED TRUE COPY
PROBATE

[Signature]
29/08/2022

9/27/2022



ANNEXURE 2 Probate Registry High Court

Plot 426, Tighis Crescent, Maitama, F.M.C. 69, Abuja



Reference number: PCY/HC/251/1080/2022

IN THE MATTER OF AN APPLICATION FOR THE GRANT OF PROBATE/LETTERS OF ADMINISTRATION OF THE ESTATE OF
MR. SGT. A. VINAKA ANGLING ASHB GODWIN (AKA) GODWIN A. ANGLING
(DECEASED)

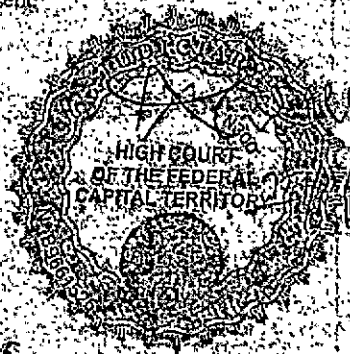
Administration is as to the Petitioners:
MR. ANGLING GET UNIKKE (AKA) MR. GET UNIKKE ANGLING of
PEACE COURT EST. LOKOGOMA ABUJA and MS ANGLING PRISCA
BIVON (AKA) MISS PRISCA BIVON ANGLING of PEACE COURT EST.
LOKOGOMA ABUJA, as administrators being the SON and DAUGHTER

AND THE FOLLOWING:

1. The Letters of Administration Probate dated the 29th day of August, 2022 was filed.
2. The Probation of the Petition have been publicly displayed in the Leadership Newspapers of 5th day of 20th and or published in the Gazette of the Federal Capital Territory of Nigeria.
3. The Petitioners were sworn to and filed on the 29th day of August, 2022.
4. The Petition has been in the court of No. 100 was executed.
5. The Petitioners, Uduh Anna Anyinika and Uduh Vem and the just and were accordingly.
6. The Petitioners have been paid.
7. The Petitioners are of good standing in the petition.
8. The Petitioners may leave be granted by My Lord the Chief Judge of the Federal Capital Territory.
9. The Petitioners may have been given with his assent.

10. The Petitioners may have been given with his assent.

PROBATE REGISTRY
HIGH COURT
FEDERAL CAPITAL TERRITORY



TO BE KEPT AS PRAYED

RECEIVED
Seal of 2022
Seal of 2022
Seal of 2022

DATE

10/10/2022

PROBATE REGISTRY
HIGH COURT
FEDERAL CAPITAL TERRITORY

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY, ABUJA, NIGERIA
(PROBATE DIVISION)

NOTICE TO EXECUTORS AND ADMINISTRATORS

The attention of Executors, Administrators and of the public generally is hereby referred to
Order 62 Rule 41 of the High Court (Civil Procedure) Rules, 2018

Order 62 Rule 41 of the High Court (Civil Procedure) Rules, 2018

Administration generally

41. (1) Every person to whom a grant of probate or letters of administration has or have been made and every administrator appointed by the Court shall, if called upon by the Court, file in Court the account of his administration and shall thereafter file such further periodic accounts as the Court may direct until the completion of the administration.
- (2) An executor or administrator who fails within any such period to file his accounts as specified shall be liable to such penalty not less than N1,000.00 as a Court may think fit to impose, and every such fine shall, on non-payment, be enforceable by distress and where distress is insufficient, by imprisonment for a term not exceeding six months.
- (3) Where an account is filed in Court under this Rule, the Court shall scrutinize the account and if it appears to the Court that by reason of improper or unjustifiable entries or that the account is not a full and proper account, the Court may give written notice to the person filing the account to remedy such defects within such time as the Court may deem reasonable for the purpose, and on failure to remedy such defects within such time, the person who filed such defective account shall be taken to have failed to file an account within the meaning of this Rule, and proceedings may be taken against that person accordingly.
- (4) A Court may, on the motion of an interested party, or on its own, summon any executor or administrator failing to file account, to show cause why he should not be punished.
- (5) A Court may for good cause shown extend the time for such filing of accounts.
- (6) An executor or administrator, who has been granted an extension of time to file such accounts and who fails within such extended time to file such accounts, shall be liable to the penalty stated above and the procedure for bringing him before the Court shall be invoked.
- (7) It shall be the duty of the Probate Registrar to bring to the notice of the Court the fact that any executor or administrator has failed to file his accounts as required by this Rule.
- (8) The accounts shall be open free of charge to the inspection of all persons satisfying the Probate Registrar that they are interested in the administration.
- (9) In this rule, the word "accounts" includes an inventory, an account of the administration, the vouchers in hands of the executor or administrator, and an affidavit in verification.

Registry,
High Court of Justice

HIGH COURT OF THE FCT (JUDICIAL OFFICE)

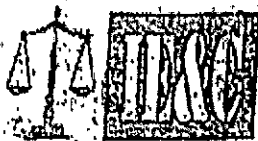


EXHIBIT B 1 IKECHUKWU EZECHUKWU, SAN & CO.

OGBUENI CHAMBERS
BARRISTERS, SOLICITORS & NOTARY PUBLIC

No 2A, Tanga Street, Zone 6, Wuse Abuja
Tel: 0708405170, 08103123542
E-mail: ikechukwu@paulson@yahoo.com
ikechukwu@ikechukwuezechukwusanandco.com.ng
web: www.ikechukwuezechukwusanandco.com.ng

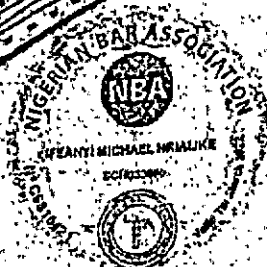
Our Ref:

Your Ref:

31st August, 2022.

The Managing Director/CEO,
Premium Pension LTD,
No 4 Awgu Close,
Off Easikaari Crescent,
Area 3,
Garki-Abuja

PREMIUM PENSION
RECEIVED
31 AUG 2022
MAILING/OFFICE ADMIN
SIGNATURE



Dear Sir,

**DEMAND TO PLACE ON HOLD/CAVEAT FURTHER PROCESSING
OF ALL TRANSACTIONS IN RESPECT OF THE BENEFIT TO LATE
MR ANGIATING ASHIB GODWIN WITH POLICY NO. PEN
100060918055.**

We are Solicitors to all the Biological Children of late Mr. Angiating, Ashib Godwin, Namely, Dr. Greg Ukeh Angiating, Mr. Gift Unimke Angiating and Miss Prisca Biwom Angiating (herein after refer to as "Our Clients", and on their authority we write:

Our Clients are the known "BIOLOGICAL CHILDREN" Of Late Mr. Angiating, Ashib Godwin. Their late father, Mr. Godwin Ashib Angiating worked and retired from Federal College of Education Obudu, Cross-River State.

During the course of his active from Federal Civil Service, he maintained an insurance policy with your company and made contribution as required. His pension policy No. is Pen 100060918055.

It is on record that Our Clients are his ONLY BIOLOGICAL CHILDREN and they are all grown up. The first Son, Dr. Ukeh is 36

2. That any Death Certificate Presented by anybody whether as photocopy or purported "ORIGINAL" (If "Original" it is forged), Should be discountenanced, as the original death certificate is in the custody of our clients. Anybody or Authority that countenances any death certificate, apart from the one from our clients, should be ready to face the legal action.
3. The funds deposited in the account of late Mr. Ashib Godwin Angiating should not be released to any person or persons outside his legally identified children at due time, which in any case are "OUR CLIENTS".

TAKE FURTHER NOTICE that if our Demands are not met and complied with, our services have been retained to commence legal action to seek redress.

Please accept assurance of Our Clients' highest regards.

Thank you

Yours Faithfully,

For: Ikechukwu Ezechukwu, SAN & CO.


Ifeanyi M. Nriafike, Esq.

08036051638.



EXHIBIT B2
IKECHUKWU EZECHUKWU, SAN & CO.

OGBUELI CHAMBERS
BARRISTERS, SOLICITORS & NOTARY PUBLIC

No 2A, Tanga Street, Zone 4, Wuse Abuja
Tel: 0708405190, 0810312342

E-mail: ikechukwu@ikechukwuandco.com

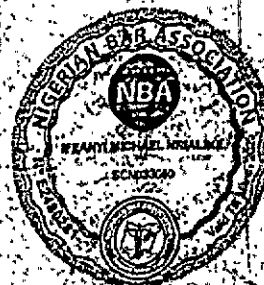
www.ikechukwuandco.com

Our Ref:

Your Ref:

7th November, 2024

The Managing Director/CEO,
Premium Pension LTD,
No. 4 Awgu Close,
Off Faskaari Crescent,
Area 3,
Garki, Abuja.



Dear Sir,

NOTIFICATION OF ISSUANCE OF LETTER OF
ADMINISTRATION AND DEMAND TO RELEASE FUNDS
IN THE ACCOUNT OF LATE MR. ANGIATING, ASHIE
GODWIN WITH POLICY NO. PEN00060918055 TO
THE NAMED ADMINISTRATORS OF HIS ESTATE,
NAMELY DR. GREG UKEH ANGIATING, MR. GIFT
UNIMKE ANGIATING, MISS PRISCA BIWOM ANGIATING.

We are Solicitors to all the **Biological** Children/ who are now the Administrators of the Estate of Late Mr. Angiating, Ashib Godwin, Namely, Dr. Greg Ukeh Angiating, Mr. Gift Unimke Angiating and Miss Prisca Biwom Angiating (herein after refer to as "Our Clients" and on their authority we write.

Our letter dated 31st of August 2021 refers wherein we demand on behalf of Our Client for a caveat to be placed in

respect of Our Clients' father's Policy with Policy No. PEN100060918055 which was received on same day. A copy of the acknowledged letter is herein attached.

We wish to notify the company that the biological children of Late Mr. Angiating Ashib Godwin are now the Administrators of the Estate of the Late Mr. Angiating Ashib Godwin, namely Dr. Greg Ukeh Angiating, Mr. Gift Unimke Angiating and Miss Prisca Biwom Angiating

The Registrar of Probate of High Court of FCT has issued Letter of Administration, dated 10th of October 2024 to Dr. Greg Ukeh Angiating, Mr. Gift Unimke Angiating and Miss Prisca Biwom Angiating as administrators of his Estate, which also covers his Pension contributions while a staff of Federal College of Education, Obudu. *Herein annexed for your perusal and further necessary action is the Letter of Administration.*

Consequently, we humbly request for the release of funds (entitlement/benefit) of the deceased with pension number 100060918055 that has accrued over the years to the administrators who are the deceased biological children.

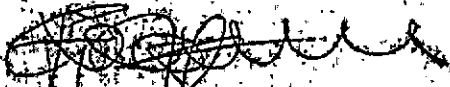
The payment should be made to the account of one of the administrators to wit: **Mr. Gift Unimke Angiating**
Bank: United Bank For Africa
Account No: 2265125920

We are looking forward to your prompt compliance.
Please accept assurance of our Clients' highest regards.

Thank you

Yours Faithfully,

For: Ikechukwu Ezechukwu, SAN & CO



Ifeanyi M. Nriagbe, Esq.

08036051638.

EXHIBIT B3



011-4601-1351, 0771

FPL/OS/BA/IE&CO/2024/01

22nd November 2024

The Principal Partner
Ikechukwu Ezechukwu, SAN & Co
No. 21, Tanga Street, Zone 6
Wuse FCT - Abuja
Ikechukwu@alison@yahoo.com
08103123542

Dear Sir/Ma

RE: NOTIFICATION OF ISSUANCE OF LETTER OF ADMINISTRATION AND DEMAND TO RELEASE FUNDS IN THE ACCOUNT OF LATE MR. ANGIATING, ASHIB GODWIN WITH POLICY NO. PEN100060918055 TO THE NAMED ADMINISTRATORS OF HIS ESTATE NAMELY DR. GREY UKEH ANGIATING, MR. GIFT UNIMKE ANGIATING, MISS PRISCA BIWON ANGIATING

Reference is made to your letter dated 7th day of November 2024 on the above subject.

This is to confirm to you that late Mr. Angiating Ashib Godwin had maintained a Retirement Savings Account (RSA) PEN100060918055 with our Company.

We acknowledge the receipt of your letter, informing us that a Letter of Administration (LOA) has been granted to Dr. Grey Ukeh Angiating, Mr. Gift Unimke Angiating and Miss Prisca Biwon Angiating whom you have identified "as the only biological heirs of the deceased". Upon receipt of the letter and submitted documents, contrary to your claims we observed that Dr. Grey Ukeh Angiating was not included on the LOA.

We also discovered a discrepancy between our records and the information provided, such that the late Mr. Angiating Ashib Godwin listed his wife and son as his Next of Kin (NOK), which we observed were not the same with the names listed on the LOA granted by the Court or your letter.

It is however imperative to state that Premium Pension Limited (PPL) as a Pension Fund Administrator (PFA), has an unfettered duty to act in the best interest of our RSA holders and protect the pension funds entrusted on us. Consequently, we had initiated an investigation to unravel the conflicting facts particularly given your assertion that your clients are "the only biological children of the deceased", while our records indicates otherwise.

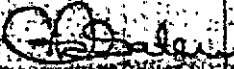
As we explore all internal and regulatory verification processes, we kindly implore you to advise your clients to exercise patience while we conclude the necessary investigations. Rest assured, Premium Pension Limited, as a responsible corporate entity, is fully committed to adhering to regulatory guidelines and will ensure that the available balance in the deceased's RSA is paid to the legal beneficiaries accordingly.

Please convey our heartfelt condolences to your clients on the demise of Mr. Anglating Ashib Godwin and accept our highest regards.

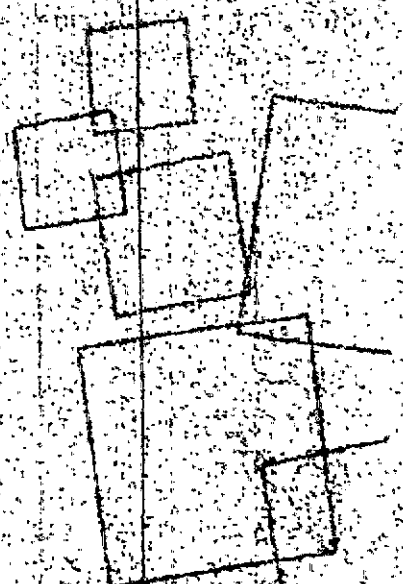
Thank you.

Yours faithfully,
For, PREMIUM PENSION LIMITED


Umar A. Bello
Head, Terminal Benefit


Funmi Femi-Opalemo
Head, Benefit Administration

E-1



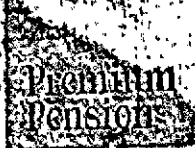


EXHIBIT 34

PUBLIC

PPL/BA/IE&CO/2025/01

4th February, 2025

The Principal Partner
Ikechukwu Ezechukwu, SAN & Co
No. 2, Tanga Street, Zone 6
Wuse FCT - Abuja
lordanyilike@gmail.com
08036051638

Dear Sir/Ma

RE: NOTIFICATION OF ISSUANCE OF LETTER OF ADMINISTRATION AND DEMAND TO RELEASE FUNDS IN THE ACCOUNT OF LATE MR. ANGIATING, ASHIB GODWIN WITH POLICY NO. PEN100060918055

Reference is made to your letter dated 7th day of November 2024 and our response dated 22nd November 2024.

Kindly recall our response dated 22nd November 2024, in which we committed to investigate the conflicting information regarding the Next of Kin (NOK) stated in our records, as well as the beneficiaries mentioned in your letter.

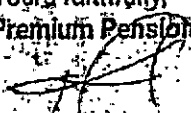
In compliance with Section 4.5.1 of the Revised Regulation on the Administration of Retirement & Terminal Benefits, we contacted Mrs. Felicia Abiye Angiating (Next of Kin on our database) to inform her of the current development. She acknowledged the information and indicated her intention to reach out to some family members for further collaboration. However, she explained that she would be on transit until March 2025 but assured us of further communication, which we are yet to receive as of the date of this letter.

As previously stated in our letter, we remain fully committed to supporting the beneficiaries in expediting the death benefits process. However, despite our willingness to assist, regulatory provisions require us to ensure that any conflicting interest among beneficiaries are resolved before processing payment and submitting the application for regulatory approval. It is important to note that applications involving unresolved beneficiary conflicts will not be approved for payment.

We kindly advise your clients to explore alternative means of contacting the other beneficiaries, while we continue to follow up with the additional NOKs listed on our records.

Thank you for your cooperation and understanding.

Yours faithfully,
Premium Pension Limited


NAFISA YAKUB
Head Terminal Benefits


FUNMI FEMI-OBALOMO
For Head Benefits Department

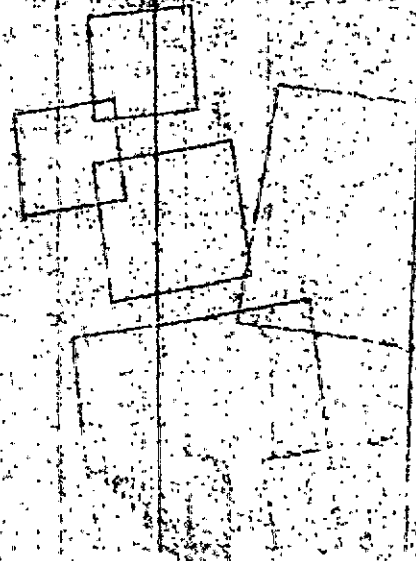


EXHIBIT "C"



13th day of May, 2026,

Managing Director,
Premium Pension Ltd
No. 4 Awgu Close, off Faskari Crescent,
Area 3, Garki
FCT-Abuja.

Attention: Company Secretary/Head, Legal Services

INVOICE IN SUIT NO: CV/230/26 BETWEEN DR. GREG UKEL ANGIATING, MR. GIFT, UNIMKE ANGIATING, MISS PRISCA BIWOM ANGIATING (Suing as Administrators of the Estate of Late Aslib Godwin Angiating) AND PREMIUM PENSION LIMITED MRS. FELICIA ABIYE ANGIATING

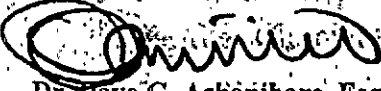
This is to notify you of our acceptance of the offer to represent you as Counsel in the above-named suit in which you are named as the 1st Defendant. See below our invoice as agreed in our various correspondence.

SERIAL NO.	JOB DESCRIPTION COURT REPRESENTATION FOR THE 1 ST DEFENDANT	FEES CHARGABLE	AMOUNT DUE FOR PAYMENT N.
1.	i. Administrative fee for brief/filing of instruction	N5,000,000.00	N5,000,000.00
	ii. Preparing and filing of Court Processes		
	iii. Professional Fees		
			Total: 5,000,000.00

Amount due for part payment for professional fees: N2,500,000.00 (Two Million Five Hundred Thousand Naira Only) VAT Exclusive while the balance shall become payable upon the conclusion of the case. Payment draft should be raised in favour of **Levite Solicitors & Arbitrators**

We thank you sincerely for engaging our services and we will continue to update you as the matter progresses.

Yours faithfully,
For: Levite Solicitors & Arbitrators.


Dr. Dayo G. Ashonibare, Esq (Notary Public)
Head of Practice/Managing Partner

Block 15D, Salis Court, Efire Ileogun Street (Around Jabi Airport Junction) Gwarinpa II FCT-Abuja

08050402554

hello@levitesolicitors.com levitesolicitors@gmail.com

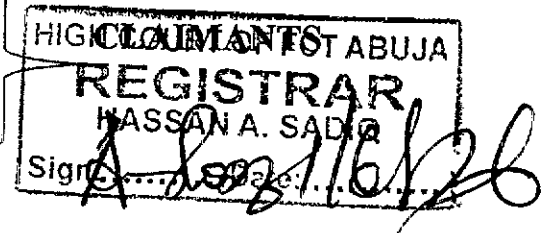
This is the Document Mark as
Exhibit..... in
Paragraph..... of the
Affidavit of..... Sworn
To on the..... Day of
..... 20.....
BEFORE ME
COMMISSIONER FOR OATHS

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA**

SUIT NO: CV/230/26

BETWEEN

1. DR. GREG UKEL ANGIATING
2. MR. GIFT UNIMKE ANGIATING
3. MISS PRISCA BIWOM ANGIATING
*(Suing as Administrators of the Estate of Late
Ashib Godwin Angiating)*



AND

1. PREMIUM PENSION LIMITED
2. MRS. FELICIA ABIYE ANGIATING

DEFENDANTS

**WRITTEN ADDRESS IN SUPPORT OF THE 1ST
DEFENDANT/COUNTER CLAIMANT' COUNTER-AFFIDAVIT**

1. INTRODUCTION

- 1.1. This Written Address is filed on behalf of the 1st Defendant/Counter-Claimant in opposition to the Claimants' Originating Summons and in support of the 1st Defendant's Counter-Affidavit and Counter-Claim duly filed before this Honourable Court.
- 1.2. The 1st Defendant/Counter-Claimant relies on all the paragraphs of the Counter-Affidavit deposed to by **Amira Fatima Aboki** in this suit, as well as all the averments contained in the Counter-Claim, as though same were fully set out and reproduced herein verbatim.
- 1.3. By its Counter-Claim, the 1st Defendant/Counter-Claimant seeks the following reliefs against the Claimants:
 - a. **AN ORDER** striking out the name of the 1st Defendant from this suit, same not being a necessary or proper party to the action.
 - b. **AN ORDER** striking out and/or dismissing this suit against the 1st Defendant for disclosing no reasonable cause of action against it.
 - c. **AN ORDER** holding that the Originating Summons procedure adopted by the Claimants is improper, incompetent, and unsuitable for the determination of the highly contentious facts disclosed in the affidavit evidence before this Honourable Court.

- d. **AN ORDER** striking out and/or dismissing this suit in its entirety for being incompetent and improperly commenced.
 - e. **AN ORDER** awarding substantial cost in the sum of ₦10,000,000.00 (Ten Million Naira) against the Claimants as:
 - i. Cost of defending this suit; and
 - ii. General damages for frivolous and speculative litigation.
 - f. **AND FOR SUCH FURTHER ORDER(S)** as this Honourable Court may deem fit to make in the circumstances.
- 1.4. The grounds upon which the 1st Defendant's opposition and Counter-Claim are predicated are that the 1st Defendant is merely a neutral statutory Pension Fund Administrator acting within the regulatory framework governing Retirement Savings Accounts; that the suit discloses substantial and contentious disputes of fact relating to competing claims of entitlement to the deceased's pension benefits; that the Claimants have disclosed no reasonable cause of action against the 1st Defendant; that the Originating Summons procedure adopted by the Claimants is incompetent and unsuitable in the circumstances; and that the continued inclusion of the 1st Defendant in this suit constitutes an abuse of the process of this Honourable Court.

2. ISSUES FOR DETERMINATION

- 2.1. The 1st Defendant/Counter-Claimant respectfully formulates the following issues for determination by this Honourable Court:
- a. *Whether the Claimants have disclosed any reasonable cause of action against the 1st Defendant, a neutral statutory Pension Fund Administrator, so as to justify its continued joinder as a necessary or proper party to this suit.*
 - b. *Whether, having regard to the substantial and contentious disputes of fact disclosed in the affidavit evidence before this Honourable Court, the Originating Summons procedure adopted by the Claimants is not incompetent and unsuitable for the determination of this suit.*
 - c. *Whether the continued institution and maintenance of this action against the 1st Defendant is not frivolous, oppressive, and an abuse of the process of this Honourable Court, thereby entitling the 1st Defendant to the reliefs sought in its Counter-Claim.*
 - d. *Whether the 1st Defendant, Premium Pension Limited, acted in compliance with the Pension Reform Act 2014 and the Revised Regulation on the*

Administration of Retirement and Terminal Benefits when it withheld payment of the deceased's RSA balance due to conflicting claims from different alleged beneficiaries.

3. LEGAL ARGUMENTS

3.1. ISSUE ONE

Whether the Claimants have disclosed any reasonable cause of action against the 1st Defendant, a neutral statutory Pension Fund Administrator, so as to justify its continued joinder as a necessary or proper party to this suit.

3.1.1. My Lord, the first and most fundamental question is whether the Claimants have disclosed any legally cognizable cause of action against the 1st Defendant. It is trite law that a reasonable cause of action consists of the bundle of facts which, if proved, entitles a claimant to judicial relief against a defendant. Where no enforceable legal duty is shown against a party, no cause of action exists.

3.1.2. In **RINCO CONSTRUCTION CO. LTD v. VEEPEE INDUSTRIES LTD (2005) 9 NWLR (Pt. 929) 85**, the Supreme Court Per TOBI, J.S.C. at page 99, paras. B-C held thus:

"In order to find a defendant liable in civil proceedings, the plaintiff must prove that the legal conduct of the defendant has done some wrong to the plaintiff, a wrong which justifies a relief in law. In other words, there must be a legal nexus between the claim will find the defendant liable. Where there is no such nexus, a trial Judge cannot find the defendant liable and the claim must fail."

3.1.3. Similarly, in **IBRAHIM v. OSIM (1988) 3 NWLR (Pt. 82) 257**, the Court held that where no enforceable obligation is disclosed against a defendant, no cause of action arises.

3.1.4. My Lord, it is also settled that in determining whether a cause of action exists, the Court is confined to the originating processes and affidavit evidence before it. See **SHELL PETROLEUM DEVELOPMENT COMPANY v. X.M. FEDERAL LTD (2006) 16 NWLR (Pt. 1004) 189**, where the Supreme Court held that the court must look only at the plaintiff's pleadings/affidavit to determine whether a cause of action is disclosed.

- 3.1.5. A careful examination of the Claimants' Originating Summons reveals that the entire complaint is anchored on the release of the pension benefits of the late Ashib Godwin Angiating held by the 1st Defendant, a Pension Fund Administrator. However, the uncontroverted facts in the affidavit evidence show that the 1st Defendant is merely a statutory administrator of the deceased's Retirement Savings Account, with no beneficial or proprietary interest in the funds whatsoever. Under Nigeria's Contributory Pension Scheme (CPS), the Pension Fund Administrator (PFA) manages pension accounts and investments, the Pension Fund Custodian (PFC) securely holds the funds, and the National Pension Commission (PenCom) regulates both to ensure transparency and protect contributors. The duty of a Pension Fund Administrator (PFA) regarding payment of pension funds is to receive documents, process and forward for approval of PenCom before payment is effected. Additionally, the PFA have a fiduciary duty on all our clients to safeguard their pension funds and ensure that legally recognized beneficiaries are duly paid accordingly in instances of death benefits payments.
- 3.1.6. My Lord, it is trite law that a party can only be joined as a necessary or proper party where his presence is essential for the effectual determination of the dispute. In the locus classicus of **GREEN v. GREEN (1987) 3 NWLR (Pt. 61) 480**, the Supreme Court defined a necessary party as one whose presence is essential for the complete and effectual adjudication of the matter. Similarly, in **BAKARE v. AJOSE-ADEOGUN (2014) LPELR-22064(SC)**, the Apex Court held that a necessary party is one in whose absence the court cannot effectually and completely determine the issues in controversy.
- 3.1.7. Applying the above principles, My Lord, it is respectfully submitted that the 1st Defendant is neither a necessary nor proper party to this suit. The dispute before this Honourable Court is fundamentally a beneficiary and succession dispute between rival claimants over entitlement to the estate and pension benefits of the deceased, and not any wrongdoing or legal obligation attributable to the 1st Defendant.
- 3.1.8. The affidavit evidence clearly shows that upon the demise of the deceased, the 1st Defendant was confronted with *competing and conflicting claims (Paragraph 15 & 16 of the Affidavit in support of the originating summons)*, including a nominated Next-of-Kin on record of the 1st Defendant and a Letter

of Administration presented by the Claimants. These competing claims placed the 1st Defendant in a position of legal neutrality, with no authority to determine entitlement between rival claimants.

3.1.9. My Lord, it is well settled that liability cannot be imposed in the absence of a legal duty. In **KATTO v. CBN (1991) 9 NWLR (Pt. 214) 126**, the Supreme Court held that liability must be predicated on a legally recognized duty owed by the defendant to the claimant. Likewise, in **A-G FEDERATION v. ALCAN (NIG.) LTD (1990) 1 NWLR (Pt. 129) 729**, the Court reiterated that no liability arises where no legal obligation exists between parties.

3.1.10. In the present case, My Lord, the Claimants have not established any contractual relationship, statutory breach, or wrongful act on the part of the 1st Defendant. The 1st Defendant has not refused to pay a clear beneficiary; rather, it has refrained from payment due to unresolved competing claims over entitlement.

3.1.11. It is further submitted that a Pension Fund Administrator acts strictly within the framework of the Pension Reform regulatory regime and cannot assume the role of an adjudicatory body in estate or inheritance disputes. The law does not impose on the 1st Defendant any duty to resolve conflicting beneficiary claims outside a valid court order or probate instrument. To hold otherwise would unlawfully convert a statutory administrator into a judicial authority for determining inheritance rights.

3.1.12. My Lord, the Supreme Court in **BELLO v. INEC (2010) 8 NWLR (Pt. 1196) 342** held that where a statutory body acts within its lawful mandate, no cause of action arises against it. In the same vein, in **THOMAS v. OLUFOSOYE (1986) 1 NWLR (Pt. 18) 669**, the Court held that where no reasonable cause of action is disclosed, the proper order is striking out.

3.1.13. It is therefore evident that the Claimants' grievance, if any, lies not against the 1st Defendant but between competing claimants to the estate of the deceased. The 1st Defendant is merely a neutral stakeholder holding funds pending proper legal determination, and its joinder in this suit is unnecessary and misconceived.

3.1.14. My Lord, it is also important to note that courts have consistently held that where a party is wrongly joined, especially where no cause of action is disclosed against it, the proper order is to strike out the name of such party.

See **NWADIARO v. SHELL PETROLEUM DEVELOPMENT COMPANY (1990) 5 NWLR (Pt. 150) 322** and **A.G. KWARA STATE v. OJULARI (2007) 1 NWLR (Pt. 1016) 551**.

3.1.15. We therefore respectfully urge this Honourable Court to resolve this issue in favour of the 1st Defendant and hold that the Claimants have disclosed no reasonable cause of action against the 1st Defendant, that the 1st Defendant is not a necessary or proper party to this suit, and that the continued joinder of the 1st Defendant is improper and its name ought to be struck out from these proceedings.

3.2. ISSUE TWO

Whether, having regard to the substantial and contentious disputes of fact disclosed in the affidavit evidence before this Honourable Court, the Originating Summons procedure adopted by the Claimants is not incompetent and unsuitable for the determination of this suit.

3.2.1. My Lord, it is trite law that the Originating Summons procedure is designed for the determination of simple questions of law, construction of statutes or documents, or matters where the facts are not in dispute. Where, however, there exist substantial disputes of fact requiring oral evidence and cross-examination, the use of Originating Summons becomes inappropriate and incompetent. **Order 2 Rule 3 of the FCT High Court (Civil Procedure) Rules, 2025** provides that:

"Any person claiming to be interested under a deed, will, enactment or other written instrument may apply by originating summons for the determination of any question of construction arising under the instrument and for a declaration of the rights of the persons interested."

3.2.2. In **REGD. TRUSTEES, A.S.P. & M.D.A. V. JOHN (2020) 17 NWLR (PT. 1753) 189** the Court held thus:

It is hornbook law that the originating summons procedure is intended to be used in limited circumstances in matters involving the construction and interpretation of enactments and documents. In

National Bank of Nigeria v. Alakija (1978) 9-10 SC 39 at 71; *Eso, JSC* stated:

"In other words, it is our considered view that originating summons should only be applicable in such circumstances as where there is no dispute on question of facts or the likelihood of such dispute. Where for instance, the issue is to determine short questions of construction and not matters of such controversy that the justice of the case would demand the settling of pleadings, originating summons could be applicable."

See also Doherty v. Doherty (1964) 1 All NLR 299, *Olumide v. Ajayi* (1997) 8 NWLR (Pt. 517) 433 at 442-443, *Anatogu v. Anatogu* (1997) 9 NWLR (Pt. 519) 49 at 70-71 and *Ezeigwe v. Nwawulu* (2010) 4 NWLR (Pt. 1183) 159 at 191.

3.2.3. In the instant case, My Lord, the affidavit evidence placed before this Honourable Court clearly reveals substantial and irreconcilable disputes of fact, particularly as to:

- a. who the rightful beneficiaries of the late Ashib Godwin Angiating are;
- b. the effect and validity of the Next-of-Kin nomination on record;
- c. the competing claims arising from the Letter of Administration presented by the Claimants; and
- d. which of the rival claimants is entitled to the deceased's pension benefits held by the 1st Defendant.

These are not issues of law or interpretation, but pure questions of fact requiring oral evidence and cross-examination.

3.2.4. My Lord, it is further submitted that the Claimants have not sought in any of the reliefs in the Originating Summons any determination relating to the construction or interpretation of a statute, document, or instrument. Rather, the claims are purely factual and adversarial, revolving around competing entitlement to pension benefits. This confirms that the Originating Summons procedure is inappropriate, as it is only suitable for questions of law or interpretation and not the resolution of contentious facts.

3.2.5. My Lord, the law is settled that where facts are disputed and the resolution of the dispute depends on credibility of witnesses, affidavit evidence is insufficient. In **RECTOR KWARA STATE POLYTECHNIC & ORS V.**

ADEFILA & ORS (2024) 9 NWLR (PT. 1944) 529 (SC), the Supreme Court emphasized that when facts are disputed and the resolution depends on the credibility of witnesses, affidavit evidence is insufficient.

- 3.2.6. My Lords, it is clear that the deceased nominated a Next-of-Kin in the records of the 1st Defendant. In line with **Section 4.5.1(b) & (c) of the Revised Regulation on the Administration of Retirement and Terminal Benefits**, the duty of a Pension Fund Administrator is expressly defined. The Regulation provides that:
- (b) A PFA shall confirm the identity of the Next-of-Kin or Legal Beneficiary with the information contained in its database; and
 - (c) Where the person presented as Next-of-Kin differs from the information in its records, the PFA must contact the Next-of-Kin or Legal Beneficiary indicated in its database and verify the information.
- 3.2.7. This provision underscores the statutory obligation of the 1st Defendant to exercise caution and due diligence whenever conflicting claims arise. In the instant case, the 1st Defendant acted properly by contacting the Next-of-Kin on its records and placing the account on hold pending lawful resolution. Such conduct was not only prudent but mandated by the Regulation, as any premature disbursement in the face of discrepancies would have contravened the law and exposed the PFA to liability.
- 3.2.8. My Lord, it is therefore respectfully submitted that the present suit is fundamentally ill-suited for commencement by Originating Summons. The Claimants are inviting this Honourable Court to determine competing beneficiary claims to pension benefits on affidavit evidence alone, notwithstanding the clear existence of opposing factual narratives between the parties. With respect, this Honourable Court cannot properly determine entitlement to the estate or pension benefits of a deceased person, under the mode of commencement used by the Claimants, where such entitlement is hotly contested between rival claimants without oral evidence.
- 3.2.9. Furthermore, My Lord, it is evident that the 1st Defendant is a neutral statutory Pension Fund Administrator who has no adjudicatory role in resolving inheritance or beneficiary disputes. The affidavit evidence shows that the 1st Defendant is merely holding the Retirement Savings Account pending lawful resolution of competing claims, and cannot unilaterally

determine entitlement without exposing itself to legal and regulatory consequences.

3.2.10. My Lord, the use of Originating Summons has deprived the parties of the opportunity to properly ventilate their respective cases through pleadings, discovery, and cross-examination. The procedure adopted by the Claimants is therefore fundamentally defective and prejudicial to the just determination of the dispute.

3.2.11. It is further submitted that the affidavit evidence filed by the Claimants is replete with assertions of fact that are directly contradicted by the 1st Defendant's position, thereby confirming the existence of a full-blown factual dispute unsuitable for summary determination.

3.2.12. My Lord, it is therefore our humble submission that the Originating Summons procedure adopted by the Claimants is improper, incompetent, and wholly unsuitable for the resolution of the issues raised in this suit. The proper procedure, if any, ought to have been by writ of summons with pleadings.

3.2.13. We respectfully urge this Honourable Court to resolve this issue in favour of the Defendants and hold that the Originating Summons procedure is incompetent in the circumstances of this case and liable to be struck out or dismissed accordingly.

3.3. ISSUE THREE

Whether the continued institution and maintenance of this action against the 1st Defendant is not frivolous, oppressive, and an abuse of the process of this Honourable Court, thereby entitling the 1st Defendant to the reliefs sought in its Counter-Claim.

3.3.1. My Lord, it is trite law that a suit is frivolous where it is devoid of legal foundation, and vexatious where it is instituted merely to harass, annoy, or exert undue pressure on a Defendant. In **IDOKO v. OGBEIKWU (2003) 7 NWLR (Pt. 819) 275**, the Court held that a frivolous action is one lacking legal basis, while a vexatious action is one instituted maliciously without just cause or for the purpose of harassment or extortion.

3.3.2. My Lord, the central question is whether the Claimants' action discloses any sustainable cause of action against the 1st Defendant. From the totality of the

affidavit evidence, the answer is clearly in the negative. A careful examination of the affidavit evidence reveals that the Claimants' case is founded on highly contentious, contradictory, and materially disputed facts, particularly as to entitlement, beneficiary status, and the legal basis for any alleged obligation against the 1st Defendant.

- 3.3.3. In the instant case, the affidavit evidence discloses serious disputes as to the identity of rightful beneficiaries, conflicting documentation on entitlement, and competing assertions between Next-of-Kin nomination and alleged estate administrators. These are not minor inconsistencies but fundamental issues going to the root of entitlement, which cannot be resolved on affidavit evidence alone.
- 3.3.4. My Lord, it is further submitted that the Claimants' case against the 1st Defendant is predicated on an assumption of wrongdoing or liability, whereas the uncontroverted evidence before this Honourable Court shows that the 1st Defendant is a neutral statutory Pension Fund Administrator, acting strictly within regulatory framework and under statutory obligation to withhold payment pending valid legal or probate determination.
- 3.3.5. My Lord, in determining whether an action is frivolous or amounts to an abuse of process, the Court must consider whether there exists any sustainable cause of action supported by admissible affidavit evidence. In the present case, the affidavit evidence filed by the Claimants is not only contentious and contradictory but also offends the clear provisions of **Section 115(1) and (2) of the Evidence Act, 2011**, which stipulate that affidavits shall contain only facts within the personal knowledge of the deponent and not extraneous matters, arguments, or conclusions. A careful review of the Claimants' affidavit, particularly paragraphs 32, 33, 34, 35, 36, 37, 38 to 39, reveals depositions that are in truth legal arguments and conclusions rather than factual assertions, including claims of liability, breach, entitlement, and alleged wrongdoing by the 1st Defendant. Such defects render the affidavit incompetent and incapable of sustaining a valid cause of action.
- 3.3.6. My Lord, it is further submitted that where affidavit evidence is polluted with legal arguments and conclusions, the evidential foundation of the case becomes unreliable, and the Court is left with no proper factual basis upon which to grant the reliefs sought. See **DARE V. FAGBAMILA (2009) 14**

NWLR (PT. 1160) 177, where the Court held that affidavits must be confined strictly to facts and not submissions.

- 3.3.7. My Lord, this procedural irregularity further underscores the abusive nature of the suit. The Claimants are effectively inviting the Court to resolve a **hotly contested probate and beneficiary dispute** on affidavit evidence alone, while simultaneously relying on conclusions of law embedded in their affidavit. This is a clear misuse of the Originating Summons procedure and amounts to an abuse of the Court's process.
- 3.3.8. My Lord, the present suit is clearly oppressive against the 1st Defendant, as it seeks to compel a statutory pension administrator to act outside its legal mandate in the face of unresolved and competing claims of entitlement. The Claimants have not established any breach of duty, contractual obligation, or statutory violation against the 1st Defendant.
- 3.3.9. My Lord, it is pertinent to note that the 1st Defendant has been compelled to incur substantial legal expenses, devote administrative resources, and suffer inconvenience in defending this suit, notwithstanding that no enforceable cause of action has been disclosed against it. It is trite that a party who is unnecessarily dragged into litigation without a sustainable claim is entitled to compensation for the costs and inconvenience occasioned. In the present case, the 1st Defendant has had to engage counsel, prepare processes, and allocate manpower to address a dispute that is essentially between competing claimants over entitlement to the deceased's estate. This needless expenditure is evidenced by the invoice attached as **Exhibit C**, which demonstrates the financial burden imposed on the 1st Defendant. We respectfully submit that the Claimants' action amounts to an abuse of process, and the Court is entitled to award costs in favour of the 1st Defendant to mitigate the prejudice suffered.
- 3.3.10. My Lord, the cumulative effect of the foregoing is that this action is not only legally unsustainable but also procedurally defective and constitutes a clear abuse of the process of this Honourable Court.
- 3.3.11. We therefore respectfully urge this Honourable Court to resolve this issue in favour of the 1st Defendant and dismiss the suit as frivolous, vexatious, and incompetent, with appropriate punitive costs against the Claimants.

ISSUE (4)

Whether the 1st Defendant, Premium Pension Limited, acted in compliance with the Pension Reform Act 2014 and the Revised Regulation on the Administration of Retirement and Terminal Benefits when it withheld payment of the deceased's RSA balance due to conflicting claims from different alleged beneficiaries.

- 3.4.1 We respectfully submit that the 1st Defendant's conduct was entirely proper and consistent with its statutory obligations. As a Pension Fund Administrator, its role is strictly custodial and administrative; it does not adjudicate family disputes or determine inheritance rights. The Revised Regulation expressly anticipates situations of conflicting claims and mandates PFAs to verify the identity of Next-of-Kin or legal beneficiaries against their database records, and where discrepancies arise, to contact the recorded beneficiaries and suspend payment until lawful resolution.
- 3.4.2 My Lord in the instant case, the deceased expressly nominated Felicia Abiye Angiating (wife) and Gregory Ukeh Angiating (son) as Next-of-Kin in the records of the 1st Defendant, Premium Pension Limited. However, subsequent claims were advanced by other individuals Dr. Greg Ukeh, Mr. Gift Unimke, and Miss Prisca Biwon Angiating who relied on a Letter of Administration. The Revised Regulation on the Administration of Retirement and Terminal Benefits anticipates precisely such conflicts and mandates Pension Fund Administrators (PFAs) to suspend payment until lawful resolution. Specifically, Section 4.5.4 requires consolidation and verification of claims before any benefits are disbursed.
- 3.4.3 We submit respectfully that the 1st Defendant is a statutory Pension Fund Administrator duly licensed under the *Pension Reform Act (PRA) 2014*. Its role is strictly custodial and administrative; it does not adjudicate family disputes or determine inheritance rights. Section 4.5.1 of the Revised Regulation expressly obliges PFAs to verify the identity of Next-of-Kin or legal beneficiaries against their database records before releasing death benefits. Where discrepancies arise, the PFA must exercise caution and await proper resolution. The Regulation is unequivocal in (Section 2.1.5, Revised Regulation):

"In the event of demise or missing employee/retiree, the Named Administrator(s)/Legal Beneficiary(ies) shall approach the deceased's PFA to apply for the proceeds of the death benefits."

- 3.4.4 By placing the deceased's account on hold, the 1st Defendant complied with its statutory obligation to prevent wrongful disbursement. It was bound to carry out due diligence on all submissions and confirm the accuracy of information provided. Any premature payment in the face of conflicting claims would have exposed the PFA to liability and contravened the Regulation. This framework underscores that PFAs cannot unilaterally determine entitlement. They must rely on valid probate instruments or court orders.
- 3.4.5 My Lord, the Claimants have failed to produce any conclusive authority entitling them to the deceased's RSA balance, and such authority cannot be procured through an action commenced by Originating Summons given the contentious nature of this dispute. The 1st Defendant acted lawfully and in strict compliance with the *Pension Reform Act 2014* and the *Revised Regulation on the Administration of Retirement and Terminal Benefits* when it withheld payment in the face of conflicting claims. The Regulation expressly mandates PFAs to verify beneficiaries against their records and to suspend payment where discrepancies exist. Accordingly, the 1st Defendant's conduct was entirely consistent with its statutory duty as a neutral custodian, ensuring that pension funds are released only to duly verified and legally recognized beneficiaries. We respectfully urge my noble Lord to so hold.

4. CONCLUSION

- 4.1. My Lord, having considered the affidavit evidence, the written submissions, and the issues for determination as a whole, we respectfully submit that the Claimants have failed to establish any reasonable cause of action against the 1st Defendant and that the Originating Summons procedure adopted is incompetent and unsuitable for the resolution of the highly contentious facts disclosed.
- 4.2. We further submit that this suit, in its entirety, is frivolous, speculative, and an abuse of the process of this Honourable Court, and we accordingly urge this Honourable Court to grant the reliefs sought in the Counter-Claim, including the striking out of the 1st Defendant and dismissal of the Claimants' action.

Dated this 14th day of May, 2026.



Dayo Godwin Ashonibare

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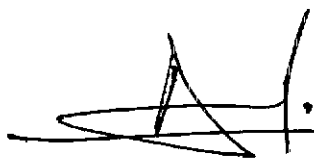
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NAME: RALARASI ABBAS

ADDRESS: NO. 2 TANGA STREET, ABUJA

DATE: 01/06/2026

TIME: 4:49pm

SIGNATURE: 

POSITION: SECRETARY

2ND Deft.

Name: T. A. Ngawan Esq.

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Sign: Mufount