

**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

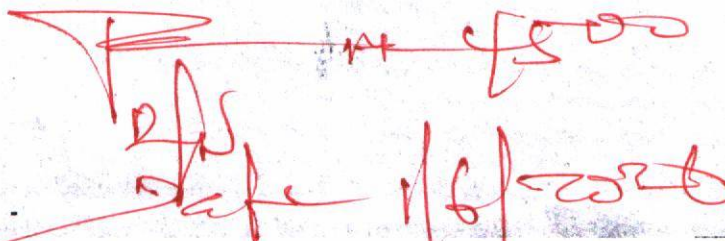
1. PREMIUM PENSION LIMITED
2. MRS. FELICIA ABIYE ANGIATING

DEFENDANTS

**MOTION ON NOTICE FOR EXTENSION OF TIME PURSUANT TO
ORDER 30 RULE 1 OF THE HIGH COURT OF THE FEDERAL CAPITAL
TERRITORY (CIVIL PROCEDURE) RULES 2025 AND UNDER THE
INHERENT JURISDICTION OF THIS HONOURABLE COURT**

TAKE NOTICE that this Honorable Court will be moved on.....day of
.....2026, at the hour of 9 0' clock in the forenoon or so soon thereafter
as Counsel for the Claimant/Respondent may be heard praying the Court for the
following reliefs:

- i. An Order extending time within which the 1st Defendant/Applicant's shall file and serve its Memorandum of Conditional Appearance and Counter Affidavit/Written Address in response to the Claimant's Originating Summons.
- ii. An Order deeming the 1st Defendant/Applicant's Memorandum of Conditional Appearance and Counter Affidavit/Written Address as properly filed, and served, appropriate fees having been paid.
- iii. And such other Orders this Honourable Court may deem necessary to make.


Date 1/6/2026

Dated this 14th day of May 2026



✓ Dr. Dayo G. Ashonibare, Esq
Ene Ashonibare, Esq
Simiat Suleiman, Esq
Blessing Etamessor, Esq
J. O. Ibrahim, Esq
Somadina C. Offor, Esq
Idowu Iyanuoluwa, Esq
U.T Anko, Esq
(1st Defendant's Counsel)

Levite Solicitors & Arbitrators

Block 15D, Salis Court,
Efire Illeogun Street,
Gwarimpa, FCT-Abuja.
08033661414, 08165550165
levitesolicitors@gmail.com

FOR SERVICE ON:

CLAIMANT

C/o of Counsel,
Ifeanyi M. Nrialike Esq.
Ogechi P. Ogbenna Esq
Collins Nnabuike Onah, Esq. Kenechukwu H. Okolo Esq.
Christian C. Iheka Esq
Amarachi S. Ogbu Esq
Ikechukwu Ezechukwu, SAN & Co. No. 2 Tanga Street,
Wuse, Zone 6,
Abuja.
0803605163

2ND DEFENDANT

Mrs. Felicia Abiye-Angiafin
Federal College of Education, Obudu,
Cross-River State.

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1. PREMIUM PENSION LIMITED
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**1ST DEFENDANT/APPLICANT'S AFFIDAVIT IN SUPPORT OF MOTION ON
NOTICE FOR EXTENSION OF TIME**

I, Comfort Ikechukwu, Female, Christian, Nigeria, Citizen of Nigeria of Block 15D Salis Court, Gwarimpa FCT Abuja, do hereby make oath and solemnly declare as follows:

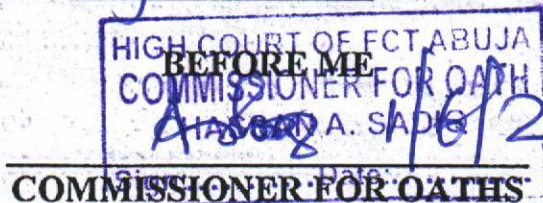
1. I am a Litigation Secretary in the law firm of Claimant/Respondent, and by virtue of my position, I am conversant with the facts of this case.
2. That I have the consent and authority of my employer as well as the Claimant/Applicant to depose to this affidavit and unless otherwise stated the facts deposed herein are facts within my personal knowledge, information and belief.
3. That I was informed by Dayo Ashonibare of counsel at our aforesaid office address, and I verily believe him as follows:
 - a) That by the rules of this Honorable Court, the 1st Defendant is required to file its Memorandum of Conditional Appearance and Counter Affidavit/Written Address within the prescribed time.
 - b) That the time prescribed for filing of the Memorandum of Conditional Appearance and Counter Affidavit/Written Address by the 1st Defendant/Applicant's has elapsed.
 - c) That the inability to file the Memorandum of Conditional Appearance and Counter Affidavit/Written Address within the prescribed time was due to the pressure of work.

- d) That the leave of this Honorable Court is necessary for the 1st Defendant to file their its Memorandum of Conditional Appearance and Counter Affidavit Written Address as required by the rules of this Honorable Court.
 - e) That failure to file the within the prescribed time was not out of disrespect to the Honorable Court but was due to the circumstances set out in (c) above.
 - f) That the 1st Defendant is now ready to file the Memorandum of Conditional Appearance and Counter Affidavit/Written Address and the necessary documents have been duly prepared for filing.
 - g) That it is in the interest of justice that this application is granted.
 - h) That no party will be prejudiced by the granting of this application.
4. I depose this affidavit in good faith, believing its contents to be true in accordance with the Oaths Act 2004.


DEPONENT

SWORN to at the High Court Registry, Abuja.

This 1st day of June, 2026



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AND

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

DEFENDANTS

**WRITTEN ADDRESS IN SUPPORT OF RESPONDENT/APPLICANT
MOTION ON NOTICE FOR EXTENSION OF TIME**

1.0 INTRODUCTION

This is the written address in support of the motion on notice brought under the inherent jurisdiction of this Honorable court. This application is praying for the following relief.

- 1.1 The Application is supported by a 4-paragraphs affidavit deposed to by Comfort Ikechukwu, Litigation Secretary at 1st Defendant/Applicant's firm.

2.0 ISSUES FOR DETERMINATION

- 2.1 The 1st Defendant/Applicant's formulate a lone issue for determination thus,

"Whether this Application can be granted".

3.0 ARGUMENT ON THE ISSUE

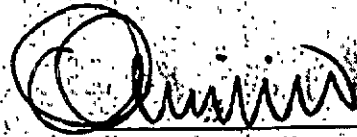
- 3.1 1st Defendant/Applicant's has shown vide deposition in the supporting affidavit that the inability to Reply Address within the time allowed by the FCT High Court Civil procedure rules. It is the argument of the 1st Defendant/Applicant's that the Court can exercise her powers under Order 49 rule 4 of the High court of the federal capital territory rules (Civil Procedure) to extend time for the Claimant/Respondent to file his response to the suit.

- 3.2 My Lord, it is the practice in all courts that where there is a default in filing a process within time, the party in default must file a motion for extension of

time seeking the approval of the court to file and serve the other parties in the suit. It is the decision of the Court.

- 3.3 My Lord, the grant of this application will not be prejudicial to the 1st Defendant/Applicant but rather advance the interest of justice.

Dated this 14th day of May 2026



Dr. Dayo G. Ashonibare, Esq
Ene Ashonibare, Esq
Simiat Suleiman, Esq
Blessing Etamessor, Esq
J. O. Ibrahim, Esq
Somadina C. Offor, Esq
Idowu Iyanuoluwa, Esq
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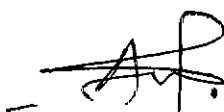
Mrs. Felicia Abiye-Angiating
Federal College of Education, Obudu,
Cross-River State.

Name: BALARABE ABBAS

Address: NO. 2 TANGA STREET, ABUJA

Date: 01/06/2026

Time: 4:49pm

Signature: 

Position: SECRETARY

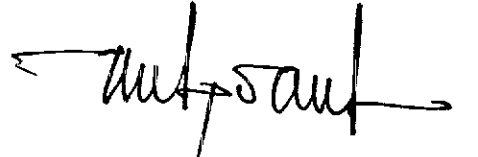
2nd draft.

Name: T. A. Ngayan, Esq.

Address: Ability & Associates
Bwari

Date: 11/06/2026

Time:

Signature: 

Position: Counsel