

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE NYANYA JUDICIAL DIVISION
HOLDEN AT NYANYA ON THE 11TH DAY OF FEBRUARY, 2020
BEFORE HIS LORDSHIP, HON. JUSTICE U. P. KEKEMEKE

SUIT NO.FCT/HC/CV/0938/18

CCOURT CLERK: JOSEPH ISHAKU BALAMI & ORS.
BETWEEN:

- | | | |
|---|---|-----------------------|
| <ol style="list-style-type: none">1. UNITY AUTOMOBILE PRODUCTION COMPANY LIMITED2. MR. ABDULGANIYU ASHIRU3. MR. BALOGUN BUSARI4. MRS. NADOU LAWSON5. MR. LASISI GBADAMOSI6. | } |CLAIMANTS |
|---|---|-----------------------|

AND

- | | | |
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| <ol style="list-style-type: none">1. THE HON. MINISTER, FEDERAL CAPITAL TERRITORY2. ABUJA METROPOLITAN MANAGEMENT COUNCIL,FCTA3. ABUJA MUNICIPAL AREA COUNCIL4. PEDAGS INVESTMENT LIMITED | } | ...DEFENDANTS |
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RULING

This is an application for stay of proceedings pending appeal. The Defendant/Respondents were served but failed, refused and or neglected to file a Counter Affidavit.

The application is brought pursuant to Order 61 of the High Court of the FCT (Civil Procedure) Rules 2018.

It is supported by a 5 Paragraph Affidavit.

He deposed that this Court upheld the objection of the 3rd Defendant and struck out his name on the ground that the required Pre-action Notice was not given before the action was commenced.

That he is dissatisfied.

That the 3rd Defendant/Respondent is at all material times relevant. That the appeal is not frivolous. That there are substantial points of law to be argued on appeal.

That the grounds of appeal raised several fundamental and recondite issues of law.

That the Notice has been served. Application for compilation of records of proceedings has been made to the Registrar. It is Exhibit C.

That Applicants are committed to the pursuit of this appeal to its logical conclusion.

That this Court is enjoined to protect and preserve the res.

In the Further and Better Affidavit, he deposed that the record of appeal has been transmitted to the Court of Appeal.

That the appeal has entered.

The Applicant has also applied for accelerated hearing.

The 3rd Defendant did not file a Counter Affidavit.

The depositions are deemed admitted as the true position.

Consequently, Order is granted as prayed.

An Order of Stay of Proceedings is hereby granted staying proceedings in this Suit pending the determination of the appeal filed against the ruling of this Court delivered on 31/05/19.

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HON. JUSTICE U.P. KEKEMEKE

(HON. JUDGE)

11/02/20.