

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT HIGH COURT 30 GUDU - ABUJA
ON THURSDAY THE 14TH DAY OF MAY, 2020.
BEFORE HIS LORDSHIP ; HON. JUSTICE MODUPE R. OSHO-ADEBIYI

SUIT NO.FCT CV/4122/2011

BETWEEN

ACCESS BANK PLC -----JUDGMENT CREDITOR/APPLICANT

AND

1. CHUBEE INTEGRATED SYSTEM LTD

2. EMMANUEL ANAEKWE ----- JUDGMENT DEBTORS

AND

1. FIDELITY BANK PLC

2. FIRST CITY MONUMENT BANK PLC

3. FIRST BANK OF NIGERIA LIMITED

4. GUARANTY TRUST BANK PLC

5. UNION BANK OF NIGERIA PLC

6. UNITED BANK OF AFRICA PLC

7. ZENITH BANK PLC

8. CITIBANK NIGERIA LIMITED

9. DIAMOND BANK PLC ===== GARNISHEES

10. ECOBANK PLC

11. HERITAGE BANK PLC

12. KEYSTONE BANK LIMITED

13. POLARIS BANK LIMITED

14. STANBIC IBTC BANK PLC

15. STANDARD CHARTERED BANK PLC

16. STERLING BANK PLC

17. UNITY BANK PLC

18. WEMA BANK PLC

RULING

The Judgment Creditor in this case filed a motion ex parte under the Sheriff and Civil Process Act to enforce the judgment delivered against the judgment debtors on 18 different banks; one of which is first bank Nigeria PLC (the 3rd Garnishee).

All other Garnishees served have been discharged by Hon. Justice Olatoyibo (now retired), save for the 3rd Garnishee.

The 3rd Garnishee, filed an 8-paragraph affidavit to show cause on the 25th of April 2019, and a further affidavit was also filed on the 8th day of May 2019 by the 3rd Garnishee and served on the Judgment Creditor. From the facts stated therein, search was conducted and from the search, both the 1st and 2nd Judgment Debtors do not maintain any account relationship with the bank and urged the Court to discharge the garnishee.

Counsel for the Judgment Creditor, Emmanuel Akumah, Esq., informed this Court to discharge the 3rd Garnishee (First Bank of Nigeria Limited).

On the strength of the affidavit evidence and further affidavit, and upon hearing Counsel to the Judgment/Creditor, the 3rd Garnishee having disclosed that Judgment Debtors have no account with First Bank Nigeria Limited, the 3rd Garnishee is hereby discharged and the Order Nisi against the 3rd Garnishee, set aside

PARTIES: Parties are absent.

APPEARANCE: Emmanuel Akumah, Esq., for the Judgment Creditor.

HON. JUSTICE M. R. OSHO-ADEBIYI
JUDGE
14TH MAY 2020