

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

THIS THURSDAY, THE 15TH DAY OF OCTOBER, 2020.

BEFORE: HON. JUSTICE ABUBAKAR IDRIS KUTIGI – JUDGE

SUIT NO: FCT/HC/CV/2151/15

BETWEEN:

1. MS & SONS AUTO LTD
2. ASD MOTORS NIGERIA LTD

} PLAINTIFFS

AND

1. OMNI CONCEPTS WORLDWIDE
INTERNATIONAL LTD
2. OPENIYI OLAWALE

} DEFENDANTS

RULING

I have carefully considered the submissions on both sides of the aisle; the narrow issue is whether the Copy of the satellite image of the Plot which defendant said he applied for and was given to him is a photocopy of a public document requiring certification.

The law as agreed by both sides is not in dispute on the tendering of public documents. There is no doubt that if a document is a public document within the confines of Section 104 as this document is then for purposes of admissibility our civil jurisprudence is now settled that a party must obtain either the original or a a

Certified True Copy. Where the original is available, the requirement of certification does not arise. It is only where the original is not available and a party has a photocopy that the requirement or necessity for certification arises.

In this case, I have carefully looked at the satellite imagery of the Plot obtained and there is no feature in it and none has been identified or streamlined indicating it is a photocopy.

As far as the eye can see and in the absence of any counter evidence to the contrary, the satellite imagery is an original copy and it is thus admissible. The copy of the satellite imagery of Karsana Earth is admitted as Exhibit D3.

Signed

Hon. Judge