

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY**  
**IN THE ABUJA JUDICIAL DIVISION**  
**HOLDEN AT COURT NO. 4, MAITAMA ON THE**  
**22<sup>ND</sup> DAY OF NOVEMBER, 2021**

**BEFORE HIS LORDSHIP: HON. JUSTICE U. P. KEKEMEKE**

**SUIT NO. FCT/HC/CV/2483/2020**

**MOTION NO. FCT/HC/M/167/2021**

**COURT CLERKS:** *JOSEPH ISHAKU BALAMI & ORS.*

**BETWEEN:**

**MRS. QUEENETH ELUJOBA ..... CLAIMANT/RESPONDENT**

**AND**

**MR. CHIJOIKE AYIBA .....  
DEFENDANT/APPLICANT**

**RULING**

This Motion brought by the Defendant/Applicant is praying the Court for an Order

- (1) Joining the Hon. Minister of the FCT and the Federal Capital Development Authority (FCDA) as parties in this suit.
- (2) And for such order or further orders as the Court may deem fit to make in the circumstance.

I have read the Motion and Affidavit. Essentially, he deposes that the case cannot be effectually and effectively determined without joining the parties sought to be joined. That the Claimant will not be prejudiced.

That Claimant on the other hand deposes that the parties sought to be joined are not at the centre of the controversy between the parties since the relief sought has nothing to do with them.

By the Rules of Court, this Court has power to join parties as Claimant or Defendant.

For a person to be joined as a party in an action, it must be shown that the person is entitled to some share/interest in the subject matter or is likely to be affected by the result of the action or is a necessary party and it is just and convenient to join him.

The purpose of joinder of parties in an action is to enable the Court effectually and completely adjudicate upon and settle all questions involved in the cause or matter.

The overriding consideration is whether the issues that call for determination cannot be effectually and completely settled unless the party sought to be joined is made a party.

See **OGUNBULE vs. ADEBAYO (2006) 2 NWLR (PT. 964) 319.**

The parties sought to be joined are the custodian of land in the FCT. The 1<sup>st</sup> Party sought to be joined is the person who is statutorily empowered to allocate land in the FCT while the 2<sup>nd</sup> Party sought to be joined is the establishment used by the 1<sup>st</sup> Party.

In my view, their joinder will completely and effectually settle all matters in controversy.

The application succeeds. Orders are granted as prayed.

The **HON. MINISTER OF THE FCT** and the **FEDERAL CAPITAL DEVELOPMENT AUTHORITY (FCDA)** are hereby joined as 2<sup>nd</sup> and 3<sup>rd</sup> Defendants.

Suit is adjourned to 7/02/2022 for Mention.

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**HON. JUSTICE U. P. KEKEMEKE**

(HON. JUDGE)

22/11/2021

Parties absent.

Henry O. Chichi, Esq. with Debman T. Otunbanjo, Esq. for the  
Claimant.

C. K. Orji, Esq. for the Defendant.

**COURT:** Ruling delivered.

(Signed)

**Hon. Judge**

22/11/2021