

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY,  
IN THE ABUJA JUDICIAL DIVISION,  
HOLDEN AT COURT NO. 7 APO, ABUJA.  
BEFORE HIS LORDSHIP: HON. JUSTICE O. A. MUSA.**

SUIT NO: FCT/HC/BW/CV/44/2021

**BETWEEN:**

MATRIX ENERGY LIMITED ----- CLAIMANT/RESPONDENT

**AND**

UNITY BANK PLC ----- DEFENDANT/APPLICANT

**RULING**

**DELIVERED ON THE 7<sup>TH</sup> OCTOBER, 2021**

I have carefully perused the motion on notice duly filed and served on the Claimant/Respondent with no counter affidavit challenging same. I have equally gone through both the supporting affidavit and the written submission of counsel, I do adopt all the submission of Applicant counsel and the cases cited therein in support of same.

In the circumstance therefore, its trite law that hence the Claimant/Respondent failed to file a counter affidavit to challenged the deposition made by the Applicant, it shows clearly that he has no defence to it and all that the Applicant said was true and the Court has to act on them accordingly.

In other words the said motion on notice and the reliefs sought has no challenge same is taken and granted as prayed.

The suit stand dismissed.

**APPEARANCE**

Gospel Adams Esq. for the Defendant/Applicant.

The Claimant is absent in court.

Sign

Hon. Judge

07/10/2021