

**IN THE HIGH COURT OF JUSTICE OF THE F.C.T.**

**IN THE ABUJA JUDICIAL DIVISION**

**HOLDEN AT KUBWA, ABUJA**

**ON MONDAY THE 13<sup>TH</sup> DAY OF OCTOBER, 2021**

**BEFORE HIS LORDSHIP: HON. JUSTICE K. N. OGBONNAYA**

**JUDGE**

**SUIT NO.: FCT/HC/CV/1733/2020**

**BETWEEN:**

AKANMODE KUNLE SHOLA ----- } CLAIMANT/APPLICANT

**AND**

1. NNAJI EMMANUEL }  
2. OWOLABI AKEEM } ----- DEFENDANTS/RESPONDENTS

**COURT BENCH RULING:**

Once a party is served with a Motion on Notice, it behooves on such party to respond if he wishes to do so. Failure to respond means he has accepted the facts as contained in such Motion. Where that is so, the Court holds that the Motion and facts thereon are not challenged or controverted.

In this Motion M/7330/2020 the Plaintiff Counsel wants an Interlocutory Injunction against the 1<sup>st</sup> & 2<sup>nd</sup> Defendants, their agents, privies, thugs and any person(s) claiming through them from interfering with the Res in this case – Plot 1465 of about 1000 sqm<sup>2</sup> situate at Kubwa Extension III B, pending the determination of the substantive Suit.

The Plaintiff also wants Court to restrain the 1<sup>st</sup> & 2<sup>nd</sup> Defendants from using the Police and other Security

Agency from harassing or intimidating the Plaintiff pending the final determination of the Suit.

The Defendants were served. They did not respond. There is no Counter to the said Motion M/7330/2020. That means that it is unchallenged and facts in support uncontroverted.

Besides, the Defendants, having been served, accept what the Plaintiff/Applicant had said in this Motion.

***The Motion is granted and Order granted as prayed.***

**This is the Bench Ruling of this Court.**

**Delivered today the \_\_\_\_ day of \_\_\_\_\_ 2021 by me.**

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**K.N. OGBONNAYA  
HON. JUDGE**