

**IN THE HIGH COURT OF JUSTICE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION**

HOLDEN AT JABI –ABUJA

HIS LORDSHIP: HON.JUSTICE M.S. IDRIS

COURT NUMBER: 28

Date :- 27TH JANUARY, 2022

FCT/HC/CV/1769/2021

BETWEEN:

MRS. GRACE OBI-UKPABI-----

CLAIMANT

AND

1. MRS. ABIOLA BABATUND LAWAL

2. THE ESTATE OF MR. BABATUNDE LAWAL

DEFENDANTS

RULING

The objection raised by the Defendant’s Counsel strictly based on non compliance with section 84 of the Evidence Act generally in line with the response made by the Claimant Counsel that the witness while in the witness box can testified as to how a document was produced electronically while the 2nd arm is by the production of certificate of compliance. He went further to cite the case of **BRILA VS FRN 2018 LPELR 143126 CA**. Although the response made by the Claimant Counsel regarding the document intended to tender does not in strict term complied wholly with the requirement of section 84 but partially same complied with section 84 not wholly the most important requirement as per as the document is concerned is whether the document is relevant to the case at hand as provided by section 6 and 7 of the Evidence Act if the document is relevant regardless of how same was obtained same is therefore admissible the weight to be

attach to it is what matters at the end of the day. I refer to section 14 of the Evidence Act, 2011

To add weight to my position is the case of **HARUN VS A.G OF THE FED.** Where it say once a document is relevant same is admissibly no matter how it was obtained. Consequently the objection raised is hereby over rule and therefore successful the 7 copies of the print out of the pictures are hereby received in evidence and marked as exhibit 1. The Supreme Court emphasis on substantial justice is not justice in its numerous authorities, technical justice at all this the position of the Supreme Court.

HON. JUSTICE M.S IDRIS
(Presiding Judge)