

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY**  
**IN THE ABUJA JUDICIAL DIVISION**  
**HOLDEN AT MAITAMA AS (VACATION COURT) ABUJA**

**CLERK: CHARITY ONUZULIKE**  
**COURT NO. 10**

**SUIT NO: FCT/HC/BW/CV/183/22**

**BETWEEN:**

**CHRISTIAN KUNLE OKUPE.....COMPLAINANT**

**AND**

**OLAWUNMI IFEOLUWA OKUPE.....DEFENDANT**

**RULING**  
**(DELIVERED BY HON. JUSTICE S. B. BELGORE)**

This Motion *Ex-parte* M/226/2022 prayed this Court to four (4) principal reliefs to wit:

1. **AN ORDER OF THIS HONOURABLE COURT** granting the Complainant/Applicant interim custody of the children of the parties, to wit:
  - a. Eliora Olamide Okupe born 12/04/2014;*
  - b. Eliana Oluwadamilola Okupe born 11/03/2017*

pending the determination of the Motion on Notice for Interlocutory Injunction.

2. **AN ORDER OF INTERIM INJUNCTION** restraining the Defendant/Respondent, whether by herself or her privies, assigns, agents or proxies, howsoever named and described, from removing, taking or relocating the children and/or otherwise interfering with the Applicant's custody of the children

in any manner whatsoever, pending the determination of the motion on notice for interlocutory injunction.

3. **AN ORDER OF THIS HONOURABLE COURT** granting a departure from the High Court of the Federal Capital Territory (civil procedure) rules 2018 and direct that notwithstanding the provision of Order 43 rule 3(2) of the High Court of the Federal Capital Territory, Abuja, that the interim order granted in respect of reliefs 1 and 2 above in this application shall not abate and shall continue to subsist until the hearing and determination of the claimant motion on notice.
4. **AN ORDER** granting leave to the Complainant/Applicant to serve the originating processes and all other subsequent processes in this suit on the Defendant by delivering same to any responsible person at the Defendant's last known place of work namely:

**Inclusive Friends Association,  
No. 1 Patricia Etteh Close,  
Wuye Abuja.**

The application which is predicated on 33 grounds is dated 22/7/2022 and filed same day. In support is a 36-paragraphs affidavits deposed to by the applicant himself. There is also a written address at the instance of the applicant's Counsel. There is also an affidavit of URGENCY of 4 – PARAGRAPHS.

Mr. Segun Fiki of Counsel to the applicant moved the application summarily. I have considered the applicant and find considerable merit in it. In effect, I grant.... prayer 1, 2 and 4 as prayed. Prayers 3 is granted to the extent that the interim order shall NOT abate and shall continue to subsist UNTILL THE HEARING OF THE MOTION ON NOTICE which is now fixed for 6/10/2022.

Signed  
**Suleiman Belgore**  
(Judge) 25/7/22