

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

IN THE ABUJA JUDICIAL DIVISION

HOLDEN AT KUBWA, ABUJA

ON MONDAY THE 31ST DAY OF OCTOBER, 2022

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

SUIT NO.: FCT/HC/BW/CV/307/2020

BETWEEN:

AMBROSE OKWOR

CLAIMANT

AND

MR. CHEF

DEFENDANT

RULING ON STRUCK OUT

Order 32 of the Rules of this Court provides that when a matter is set for Hearing and the parties were duly notified, that if the matter is called up and the Plaintiff fails to be in Court, that the Court can suo motu or upon application by the Defendant, strike out the matter.

In this case, the matter was filed since 22nd October, 2020. That is exactly two (2) years and eight (8) days ago. Till date, the Plaintiff has not deemed it fit to ensure that the matter is prosecuted. He was duly notified about today's sitting but he failed to be in

Court today and no reason was given as statutorily required.

The Defendant Counsel has raised an application to strike out the Suit for want of diligent prosecution and abandonment. She cited Order 32 of the High Court Rules 2015.

This Court holds that there is merit in the application and therefore grants same to wit:

This Suit is hereby STRUCK OUT.

This is the Ruling of this Court.

Delivered today the ___ day of _____ 2022 by me.

K.N. OGBONNAYA
HON. JUDGE