

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT GARKI, ABUJA - FCT**

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

**SUIT NO: FCT/HC/GAR/CV/73/2023
M/150/2023**

BETWEEN:

**THE INCORPORATED TRUSTEES OF FORUM
FOR ACCOUNTABILITY AND GOOD
LEADERSHIP..... CLAIMANT**

AND

- 1. STATE SECURITY SERVICE**
- 2. CENTRAL BANK OF NIGERIA**
- 3. ZENITH BANK PLC**
- 4. GUARANTY TRUST BANK PLC**
- 5. FIRST BANK OF NIGERIA LIMITED**
- 6. ECOBANK NIGERIA LIMITED**
- 7. ACCESS BANK PLC**
- 8. UNITED BANK FOR AFRICA**
- 9. UNION BANK OF NIGERIA PLC**
- 10. FIDELITY BANK PLC**
- 11. KEYSTONE BANK LIMITED**
- 12. STERLING BANK PLC**
- 13. POLARIS BANK LIMITED**
- 14. FIRST CITY MONUMENT BANK**
- 15. WEMA BANK PLC**
- 16. HERITAGE BANK**
- 17. STANDARD CHARTERED BANK**
- 18. STANBIC IBTC BANK PLC**
- 19. JAIZ BANK PLC**
- 20. CITIBANK NIGERIA LIMITED**

DEFENDANTS

21. **UNITY BANK PLC**
22. **TAJ BANK LIMITED**
23. **SUNTRUST BANK NIGERIA LTD**
24. **GLOBUS BANK LIMITED**
25. **LOTUS BANK**
26. **PREMIUM TRUST BANK LIMITED**
27. **PARALLEX BANK LIMITED**
28. **PROVIDUS BANK LIMITED**
29. **TITAN TRUST BANK LIMITED**

RULING

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

This one sided application vide Motion *Ex-parte* **FCT/HC/GAR/150/2023** prayed for the following reliefs:

1. **AN ORDER** directing accelerated hearing and determination of the Substantive Originating Summons.
2. **AN ORDER** abridging the time within which the Defendants may file their Counter Affidavit to substantive Originating Summons to a period of 5 days from the date of service of the processes.
3. **AN ORDER OF INTERIM INJUNCTION** restraining the 2nd to 29th Defendants/Respondents or any other financial institution in Nigeria from complying with or satisfying the request or demands of the 1st Defendant or releasing any information or details of the foreign exchange allocation from 2017 to date or any other information relating to the request of the 1st defendant contained in a letter dated 17th day of January, 2023 or in any other manner whatsoever give effect to the said request or demand pending the hearing and determination of the motion on notice.

The said Motion is predicated on 9 grounds and supported by an affidavit of 15-paragraphs deposed to by one Trust Kombo, a litigation

Secretary in the Law Firm of Emeka Ozoani SAN and Co. There is also a written address.

A short while ago, learned Counsel to the applicant, Grace Agbai, Esq. moved the application *brevi manu*. She referred to the processes filed and adopted the written address filed as her argument in support of the application. Learned Counsel finally urged me to grant the application.

Having carefully read through the application, especially the written argument of Counsel and adverted to paragraphs 3 – 13 of the supporting affidavits and the authorities of **AZIK VS. UNION BANK OF NIGERIA PLC (2004) 14 NWLR (PT. 8930); ALL NIGERIA PEOPLES PARTY VS. GONI & ORS. (2011) 18 NWLR (PT. 1279) 413; EJIOFOR VS. EMUJULU (2008) 17 NWLR (PT. 1117) 459, and DAPIONLONG VS. DARIYE (NO. 1) (2007) ALL FWLR (PT. 373) 1**, I shall scrutinise the application and mirror it against the authority of **SARAKI VS. KOTOYE (1990) LPELR – 15503 (SC)**. See also **KOTOYE VS. CBN (1989) 1 NWLR (PT. 98) 419**.

In my view the applicant has demonstrated compliance with the guiding principles laid down by the apex Court in granting an order of interim injunction. I could perceive real urgency in this application, legal rights, the need to preserve a right or ‘res’ at this interlocutory stage. Equally the applicant has shown that damages may not be sufficient and there is also an undertaking to pay damages. I also find balance of convenience in favour of granting this application. For all the above potent facts see paragraphs 5, 6, 7, 8, 9, 10, 11, 12 and 13 of the supporting affidavits.

On the whole, having regard to the affidavits before me and the filing a Motion on Notice – M/151/2023 and an Originating Summons – FCT/HC/GAR/CV/73/2023 I hold that this application has merit and it is hereby granted as prayed.

For avoidance of doubt it is hereby ordered as follows:

- (1) **I order accelerated hearing and determination of this suit i.e. Originating Summons.**

- (2) I order abridgment of time within which the Defendant may file their counter affidavits to the Originating Summons to a period of 5 days from the date of service of the processes.
- (3) I grant an order of Interim Injunction restraining the 2nd to 29th Defendants/Respondent or any other financial institution in Nigeria from complying with or satisfying the request or demands of the 1st Defendant or releasing any information or details of the foreign exchange allocation from 2017 to date or any other information relating to the request of the 1st defendant contained in a letter dated 17th day of January, 2023 or in any other manner whatsoever give effect to the said request or demand pending the hearing and determination of the motion on notice.
- (4) The hearing of the Motion on Notice is now fixed for 25th January, 2023.

SIGNED

S. B. Belgore

(Judge) 22/3/2023