

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIIVISION

HOLDEN AT COURT NO. 5, MAITAMA ON THE 23<sup>rd</sup> DAY OF  
SEPTEMBER, 2021

BEFORE HIS LORDSHIP: HON. JUSTICE U.P. KEKEMEKE

SUIT NO.FCT/HC/CV/2547/19

COURT CLERKS: JOSEPH ISHAKU BALAMI & ORS.

BETWEEN:

MR. CHARLES OSIYABIA .....APPLICANT

AND

1. INSPECTOR GENERAL OF POLICE)

2. MR. MICHAEL OKPARA ).....DEFENDANTS

### **RULING**

I have read the application. I have also read and considered all the addresses.

The Fundamental Human Right application is a unique procedure.

It is governed by the Fundamental Rights (Enforcement Procedure) Rules and not the High Court of the Federal Capital Territory (Civil Procedure) Rules.

The instant application is governed by Order 11 Rules 1 - 7.

The process of 2<sup>nd</sup> Defendant/Applicant named further reply on applicant's Further and Better Affidavit is not known to law.

It is a stranger and surplusage to the provision of the Fundamental Rights (Enforcement Procedure) Rules.

The Motion therefore fails and it is dismissed.

.....  
HON. JUSTICE U.P. KEKEMEKE  
(HON. JUDGE)  
23/09/21

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Parties absent.

Charles H.T. Uhegbu for the Applicant.

A.I. Duru for the 2<sup>nd</sup> Respondent

Ruling delivered.

Signed.

Hon. Judge.

23/09/21.