

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY**

**IN THE ABUJA JUDICIAL DIVISION**

**HOLDEN AT MAITAMA**

**BEFORE HIS LORDSHIP: HON. JUSTICE Y. HALILU**

**COURT CLERKS : JANET O. ODAH & ORS**

**COURT NUMBER : HIGH COURT NO. 14**

**CASE NUMBER : SUIT NO: CV/2278/2021**

**DATE: :TUESDAY 1<sup>ST</sup> MARCH,2022**

**BETWEEN:**

**MR. BABATUNDE OSIBOWALE OSINUBI ..... CLAIMANT**

**AND**

**1. THE HON. MINISTER OF WORKS  
AND HOUSING**

**2. THE COUNCIL OF REGISTERED  
BUILDERS OF NIGERIA**

**3. THE REGISTRAR OF THE COUNCIL  
OF REGISTERED BUILDERS OF NIGERIA**

**4. THE INCORPORATED TRUSTEES  
OF THE NIGERIAN INSTITUTE OF BUILDING**

**DEFENDANTS**

## **CONSENT JUDGMENT**

By a Writ of Summons dated and filed on the 10<sup>th</sup> September, 2021, the Claimant claims against the Defendants as follows:-

- a. A declaration that Article 20 of the Constitution of the 4<sup>th</sup> Defendant on its representation in the composition of the 2<sup>nd</sup> Defendant, in the face of section 2 (1)(d) of the Builders (Registration, etc.) Act, is illegal, null and void;
- b. A Declaration that anything done or purportedly to have been done or about to be done pursuant to the said Article 20 of the Constitution of the 4<sup>th</sup> Defendant on its representation in the composition of next and subsequent councils of the 2<sup>nd</sup> Defendant, in the light of clear provisions

of section 2(1)(d) of the Builders (Registration, etc.) Act, is illegal, null and void;

- c. An Order of this Honourable Court mandating the 1<sup>st</sup> Defendant to ignore, neglect, disregard and/or refuse to act on the purported list compiled as the propose representative of the 4<sup>th</sup> Defendant in the composition of the 2<sup>nd</sup> Defendant and submitted to it, through the 3<sup>rd</sup> Defendant by the 4<sup>th</sup> Defendant without the 4<sup>th</sup> Defendant having conducted election as clearly stated in section 2(1) (d) of the Builders (Registration, etc.) Act;
- d. An Order of this Honourable Court to perpetually mandate the 4<sup>th</sup> Defendant to always conduct elections as clearly required by section 2 (1) (d) of the Builders (Registration, etc.) Act

before making any or further submissions to the 3<sup>rd</sup> Defendant with respect to its representation in the composition of the 2<sup>nd</sup> Defendant;

- e. An Order of this Honourable Court to mandate the 2<sup>nd</sup> and 3<sup>rd</sup> Defendants to henceforth conduct the affairs of the Council of Registered Builders of Nigeria in strict compliance with the Builders (Registration, etc.) Act;
- f. And such order or other Orders as this Honourable Court may deem fit to make in the circumstances.

### **COURT:-**

Midway into the hearing of this suit, parties indicated desire to settle out of court in consequence of which Terms of Settlement was filed and same adopted by the respective counsel for the Claimant

and Defendants and court was urged to enter same as Consent Judgment.

Judgment is hereby entered for the parties in suit No. **FCT/HC/CV/2278/2021** as per the said Terms of Settlement dated the 28<sup>th</sup> February, 2022 which was duly signed by all parties and their witnesses.

*Justice Y. Halilu*  
*Hon. Judge*  
*1<sup>st</sup> March, 2022*

### **APPEARANCES**

Lawrence Machie, Esq. – for the Claimant.

A.J Reuben – N., Esq. – for the 1<sup>st</sup> Defendant.

A.O Ojeh, Esq. – for the 2<sup>nd</sup> and 3<sup>rd</sup> Defendants.

Samuel O., Esq. – for the 4<sup>th</sup> Defendant.