

IN THE NATIONAL ASSEMBLY ELECTION PETITION TRIBUNAL

HOLDEN AT SOKOTO

ON MONDAY THE 6TH DAY OF MAY, 2019

BEFORE:

HON. JUSTICE P.A. AKHIHIERO-----CHAIRMAN

HON. JUSTICE A.N. YAKUBU-----1ST MEMBER

HIS WORSHIP S.T BELLO -----2ND MEMBER

PETITION NO: EPT/SKT/HR/02/2019

ELECTION TO THE OFFICE OF MEMBER, HOUSE OF REPRESENTATIVES

REPRESENTING ISA/SABON – BIRNI FEDERAL CONSTITUENCY HELD ON THE

23RD DAY OF FEBRUARY, 2019.

BETWEEN:-

1. SANI AMINU ISA
2. ALL PROGRESSIVES CONGRESS } -----PETITIONERS/APPLICANTS

AND

1. MHAMMED SAIDU BARGAJA
2. PEOPLES DEMOCRATIC PARTY
3. INDEPENDENT NATIONAL ELECTORAL
COMMISSION } ---RESPONDENTS/RESPONDENTS

RULING

This is a ruling on a motion on notice, dated the 8th of April, 2019, filed on the 11th of April, 2019, brought pursuant to section 151 of the Electoral Act 2010 (as amended), paragraph 41 (5) (6), 47 (1), (2) and (3) of the 1st schedule to the Electoral Act 2010 (as amended); Order 26 rule 8 and Order 56 rule 1 of the Federal High Court (Civil Procedure) Rules 2009.

The application is praying the Tribunal for the following reliefs:

1. AN ORDER of the tribunal directing the 3rd respondent to permit the petitioners/applicants and or their counsels or agents to conduct manual/physical inspection, count, copy, photocopy and obtain certified true copies of all documents and or materials used in the conduct of the general election for the seat of member, house of representatives for ISA/ SABON BIRNI FEDERAL CONSTITUENCY Sokoto state held on the 23rd February 2019 especially the following documents:

(a) Print out of card readers used for the election in (I) GEBE “A”, GEBE “B”, BARGAJA AND YANFAKO wards of Isa local government area.

(b) VOTERS REGISTER used in all the polling units in(I) GEBE “A”, GEBE “B” , BARGAJA AND YANFAKO wards of Isa local government area.

(c) LIST AND SERIAL NUMBERS of all ballot papers issued in all polling units in (I) GEBE “A”, GEBE “B”, BARGAJA AND YANFAKO wards of Isa local government area.

(d) List and serial numbers of all statements of results forms EC.8A (1) EC.8 B (1) EC.8 C (1) EC.8D (1) AND EC.8D (1) for all the polling units in (I) GEBE “A”, GEBE “B”, BARGAJA AND YANFAKO wards of Isa local government area.

(e) List and serial numbers of all statements of results forms EC.8A (1) returned from all the polling units in (I) GEBE “A”, GEBE “B”, BARGAJA AND YANFAKO wards of Isa local government area.

(f). record of list of permanent voters cards pvcs collected in (I) GEBE “A”, GEBE “B”, BARGAJA AND YANFAKO wards of Isa local government area.

(g).INEC FORM CF: 001 Submitted by the 1st respondent.

(2) AN ORDER permitting the petitioners/applicants to rely on the outcome of such manual/physical inspection as prepared by the petitioners/applicants or their agents.

3. AND FOR SUCH ORDER OR FURTHER ORDERS as the honourable tribunal may deem fit to make in the circumstances.

The application is premised on the 4 grounds listed on the motion paper and supported by an 11 paragraph affidavit and a Written Address of Counsel.

In his written address, the learned counsel for the Petitioners/Applicants, Chief S.U.Nwoke identified a sole issue for determination as follows: ***Whether this is an application which this honourable tribunal should grant?***

Opening his arguments on the sole issue, learned counsel submitted that the Applicants have deposed to the facts that from the infractions committed during the governorship election (sic) of Sokoto state conducted on the 9th March, 2019 (sic) and the supplementary election conducted on the 23rd March, 2019, the electoral documents used in the election are very germane for the purpose of instituting and maintaining the election Petition, which the Applicants have filed.

He referred to ***Section 151 (1) and (2) of the Electoral Act which provides as follows:***

1) An Order for an Inspection of a polling document or an inspection of a document or any other packet in the custody of the Chief National

Electoral Commissioner or any other officer of the commission may be made by the election tribunal or the court if it is satisfied that the inspection is required for the purpose of instituting, maintaining or defending an election petition.

- 2) *A document other than a document referred to in Subsection 1 of this section relating to election and which is retained by the Chief National Electoral commissioner or any other officer of the commission shall be open for inspection on an order made by the election tribunal or a court in exercise of its power to compel the production of documents in legal proceedings.*

Again, he referred to the case of: **FRANCIS ADENIGBA & ANOR VS C.B.OMOWORARE & ORS. (2015) LPELR -40531 CA @ PG. 11, PARAS E-G** wherein the Court of Appeal affirmed the power of an Election Petition Tribunal to grant an Order for inspection of Electoral materials to be used for the purpose of instituting and maintaining an election Petition based on the provisions of Section 151 (1) and (2) of the Electoral Act, 2010 (as amended). He therefore urged the Tribunal to grant the application to enable the Applicants exercise their rights to maintain an election Petition resulting from the House of Representatives election conducted on the 23rd February, 2019.

In conclusion, he urged the Tribunal to grant the application and to hold that by virtue of Section 151 of the Electoral Act, 2010 (as amended) the Applicants are entitled to the Order permitting them to inspect and take copies of the documents listed in the motion paper in order to maintain the election Petition.

In opposition to the application, the learned counsel for the 1st and 2nd Respondents, ***Ibrahim Abdullahi Esq.*** filed a four paragraphs counter affidavit with one annexure marked as **Exhibit A** and a Written Address of Counsel.

In his written address, learned counsel identified two issues for determination as follows:

1. ***Whether the application as filed by the Applicants through the Steve U. Nwoke Esq of Steve U. Nwoke & Co is competent?***
2. ***Whether the Applicants are entitled to the reliefs sought for?***

Thereafter, counsel argued the two issues *seriatim*.

ISSUE NO. 1:

Arguing issue one, he submitted that the fundamental nature and paramount importance of the jurisdiction of a court and the devastating consequences of its absence in the realm of the administration of justice has been emphasized and re-emphasized ad-nauseam in a plethora of decisions of our superior appellate courts.

He commenced with the memorable pronouncement of *Bairamain JSC*, in the land mark case of: ***GABRIEL MADUKOLU & ORS VS JOHNSON NKEMDILIM (1962) 1 ANLR 587 at 595; or (1962) 2 SCNLR 341 at 348***, where His Lordship stated thus;

“Put briefly, a Court is competent when:”

- 1. It is properly constituted as regards numbers and qualification of the members of the bench and no members is disqualified for one reason or the other; and***
- 2. The subject matter of the case is within the jurisdiction and there is no feature in the case which prevents the court from exercising its jurisdiction; and***
- 3. The case comes before the Court initiated by due process of the law and upon the fulfillment of any condition precedent to the exercise of jurisdiction.***
Any defect on competence is fatal, for the proceedings are a nullity however well conducted and decided, the defect is extrinsic to the adjudication”

His Lordship equally referred to the following Supreme Court cases: ***AFRICAN NEWSPAPERS OF NIGERIA & ORS VS THE FEDERAL REPUBLIC OF NIGERIA (1985) 2 NWLR (PT 6) 137 at 159- 160 PARA F-B; and WESTERN STEEL WORKS LTD VS IRON & STEEL WORKERS UNION (1986) 3 NWLR (PT 30) PAGE 617 at 627-628 PARA C-B.***

Counsel submitted that a cursory look at the application filed on behalf of the Applicants would reveal that the Petitioners’ counsel that filed the substantive petition before this Honourable Tribunal is one B. M. Jodi Esq. who is the Petitioners solicitor and acted as the occupier while the law firm of Gallant Law Chambers is not the law firm representing the Petitioners in the substantive petition pending before this Honourable Tribunal.

He maintained that the law firm of Steve U. Nwoke & Co was never mentioned as the law firm representing the Petitioners in the substantive petition neither was Steve U. Nwoke Esq. named as a counsel at the foot of the said petition so as to necessitate them to represent the Petitioners/Applicants subsequently in the proceedings before this Tribunal. He referred us to Exhibit A annexed to the Counter Affidavit.

He contended that the only counsel on record known to be the legal representative of the Petitioners is B. M. Jodi Esq. of Gallant Law Firm, Abdullahi Fodiyo Road. That Steve U. Nwoke Esq. as well as Steve U. Nwoke & Co are foreign to these proceedings.

Furthermore, he submitted that by the provisions of *Order 35 Rules (1), (2) & (3) of the Federal High Court Civil Procedure Rules 2009*, there must be filed before a court of law, a *Notice Of Change of Counsel* where any counsel proposes to represent a party in a case where the litigant was hitherto represented by a counsel and such notice must be served on all parties including the original counsel in the matter. He said that there is no such notice of change of counsel filed by the law firm of Steve U. Nwoke & Co so as to confer it with the *vires* to represent and file processes on behalf of the Applicants.

He posited that Rules of court must be obeyed as they help the parties to present their case within the procedure made for the purpose of a fair and quick trial and relied on the case of: *BAYERO V. MAINASARA & SONS LTD (2007) ALL FWLR (PT. 359) 1285 AT 1309 PARAS. F - H (CA)*, where *Ariwoola JCA* stated thus;

Rules of court are meant to be complied with. Rules of court are made to be followed. They regulate matters in court and help the parties to present their case within the procedure made for the purpose of a fair and quick trial. It is the strict compliance with these rules of court that makes for quick administration of justice. See Solanke v. Somefun (1974) 1 SC 141; Ibodo v. Enarofia (1980) 5 - 7 SC 42; Musa v. Hamza (1982) 7 SC 118; John v. Blakk (No. 1) (1988) 1 NWLR (Pt. 72) 648.

Again, counsel submitted that at page 4 of the application, the Applicants' counsel indicated that he is solicitor to the 1st Respondent while in paragraph 1 of the supporting affidavit, it was indicated that the same counsel is the solicitor to the Petitioners/Applicants.

He said that the law firm of Steve U. Nwoke & Co, cannot be both the solicitors to the Applicants and that of the 1st Respondent hence, the depositions of the supporting affidavit and the facts of the application are mutually conflicting and bears a false facade. He maintained that the whole affidavit in support bears a false façade in as much as it started from a false premise that the law firm of Steve U. Nwoke & Co is solicitors to the Applicants.

Counsel contended that this Honourable Tribunal has no jurisdiction to entertain the application where the entire gamut of the supporting affidavit is incompetent. That it has been held that where paragraphs of an Affidavit lack evidential value, the court or Tribunal should strike out those paragraphs or attach no weight to them. For this, he referred to the following decisions on the point: *JOSIEN HOLDINGS LTD & ORS V. LORNAMEAD LTD ANOR (1995) 1 NWLR*

(PT.371) 254 AT 264; and DR. OLADIPO MAIA V. MR. COSTA SAMONRIS (2002) 7 NWLR (PT.765) 78 AT 102.

He therefore urged us to resolve the 1st issue in favour of the 1st and 2nd Respondents. Counsel posited that assuming that the Honourable Tribunal holds that the application is competent, then he went further to argue issue No. 2 in the alternative.

ISSUE NO. 2:

Under issue two, learned counsel submitted that the discretion of this Honourable Tribunal must be exercised judiciously and judicially. He referred to the case of: ***THE OWNERS OF THE M.V.LUPEX V. NIGERIAN OVERSEAS CHARTERING AND SHIPPING LTD. (2003) LPELR-3195(SC)***, where ***Mohammed, J.S.C.*** at page. 18, paras. D-F stated thus;

“An exercise of discretion is a liberty or privilege to decide and act in accordance with what is fair and equitable under the peculiar circumstances of the particular case, guided by the spirit and principles of law. Where parties have chosen to determine for themselves that they would refer any of their dispute to arbitration instead of resorting to regular courts a prima facie duty is cast upon the courts to act upon their agreement.”

He also referred to the dictum of ***OGUNDARE J.S.C.*** at page 9, paras. E-G, in the case of: ***FEDERAL HOUSING AUTHORITY v. ABOSEDE (1998) LPELR-1268(SC)*** where he stated thus;

“It is however, in the discretion of the court to grant or not to grant the application and an appellate court will be slow in interfering with the exercise of discretion of a lower court unless it is shown that the discretion was not exercised judicially or that it was based upon wrong principle or that the conclusion arrived at cannot be supported by the evidence.”

He urged this Tribunal to take judicial notice of its records by virtue of ***section 122(m) of the Evidence Act 2011***. He said that the Tribunal should take judicial notice of the fact that in the substantive petition pending before this Tribunal, no allegation or reliefs was sought against **Bargaja and Yanfako Wards of Isa Local Government Area of Sokoto State** that would necessitate that inspections be ordered to be made.

Counsel said that the question that calls for consideration is: ***What does the applicants want to do with the polling materials and or documents and or inspection they want to be ordered for Bargaja***

and Yanfako Wards of Isa Local Government Area of Sokoto State when in actual fact they are not complaining against these wards nor seeking any reliefs in respect of the said wards?

He observed that the applicants in the main petition mentioned Yanfago ward as opposed to Yanfako ward. He maintained that this application is not seeking inspection of polling materials and or documents for Yanfago ward that the Applicants made reference to but in respect of a different ward that is not disputed in the petition by the Applicants.

He therefore submitted that the applicants are not entitled to be granted the indulgence with respect to inspections to be carried out in respect to Bargaja and Yanfako Wards of Isa Local government Area of Sokoto State.

He urged the Tribunal to concentrate on issues that flow directly from the main petition in order to meet the ends of justice in the determination of the petition. He submitted that where a grievance or issues are not placed before the Tribunal, the Tribunal has no business with such issues. He referred to the Supreme Court decision in the case of: ***KRAUS THOMPSON ORG. LTD. V. UNICAL (2004) LPELR-1715(SC), MUSDAPHER, J.S.C. at P. 13, paras. D-E*** stated thus;

“Now, it is settled law that when an issue is not placed before a court, such court has no business whatsoever to deal with it as decisions of a court of law must not be founded on any ground in respect of which it has neither received argument from or on behalf of the parties before it nor even raised by or for the parties or either of them.”

He maintained that complaints relating to Bargaja and Yanfako wards in Isa Local Government Area of Sokoto State are not live issues before this Honourable tribunal for which an order for inspection and collection of polling materials as well as polling materials can be ordered by this Honourable Tribunal. He therefore urged the Tribunal to resolve this issue for determination in favour of the 1st & 2nd Respondents.

In conclusion, he urged the Tribunal to either strike out of the application of the Applicants or to partially grant same with the exclusion of Bargaja and Yanfako Wards of Isa Local Government Area of Sokoto State.

At the hearing of this application, the learned counsel for the Applicants informed the Tribunal that they also filed a Reply to the 1st and 2nd respondents’ written address dated and filed on 2/5/19. He adopted the Reply as part of his argument in support of this application and urged the Court to grant the application.

Reacting to the said Reply, the learned counsel for the 1st and 2nd Respondents submitted that the Reply of the Applicants was filed outside the 3 day period mandated by Paragraph 47 (5) of the 1st schedule to the Electoral Act. He said that the Petitioners were served with the counter Affidavit and written Address on 18/4/19 and the Reply was filed out of time on 2/5/19 outside the mandatory 3 days period without leave of Court. He maintained that the Reply is thus incompetent and should be struck out.

Responding to the objection, the Applicants' counsel conceded that the Reply was filed out of time but pleaded that in the interest of justice, he should be granted leave to apply orally for extension of time to file the Reply and to deem the Reply filed out of time as properly filed and served in the interest of Justice.

At the hearing of this application, **O.F. Abegunde Esq.** for the 3rd Respondent informed the Tribunal that he was not opposed to the application.

We have carefully examined all the processes filed in this application together with the submissions of counsel on the matter.

The most relevant provision in relation to the application is the provision of **Section 151 of the Electoral Act, 2010** as amended which stipulates as follows:

“151. (1) An order for an inspection of a polling document or an inspection of a document or any other packet in the custody of the Chief National Electoral Commissioner or any other officer of the Commission may be made by the election tribunal or the court if it is satisfied that the inspection is required for the purpose of instituting, maintaining or defending an election petition.

(2) A document other than a document referred to in subsection (1) of this section relating to an election and which is retained by the Chief National Electoral Commissioner or any other officer of the Commission in accordance with this section shall be open for inspection on an order made by the Election Tribunal or a Court in exercise of its powers to compel the production of documents in legal proceedings.”

An application for an order of inspection of polling materials seeks a discretionary remedy. It is settled law that all judicial discretions must be exercised judicially and judiciously.

In the celebrated case of: **UZODINMA v. IZUNAZO & ORS (2015) LPELR-25661(CA)**, the Court of Appeal expounded on the application of Section 151 of the Electoral Act thus:

“Section 151 makes it possible to obtain positive Order (s) of Court or Tribunal against the Independent National Commission and any of its Officers or Officials for inspections of polling documents and to enable any party or intending Petitioner in an Election to obtain certified true copies or production of those documents for use in Election Petition Proceedings. See the decisions of this Court in: AREGBESOLA vs. OYINLOLA (2009) 14 NWLR (PART 1162) 429 at 448 and HON. BASHIR ADEYELA V. OLAJIDE ADEYEYE & ORS. (2010) LPELR 3618 (CA).

The sole issue for determination in this application is: *Whether the Applicants have supplied sufficient facts to enable this Tribunal to exercise its discretion in their favour.*

Before, going into the merits of the application, it will be expedient to determine some salient objections raised by the learned counsel for the 1st and 2nd Respondents.

The first objection is the one challenging the legal representation of Chief S.U.Nwoke on behalf of the Petitioners/Applicants. According to him, the only counsel on record known to be the legal representative of the Petitioners is one B. M. Jodi Esq. of Gallant Law Firm, who filed the originating processes. He contended that by the provisions of *Order 35 Rules (1), (2) & (3) of the Federal High Court Civil Procedure Rules 2009*, there must a *Notice of Change of Counsel* before the said Chief Nwoke can come into the matter.

At the hearing Chief Nwoke tried to convince the Tribunal that the said B. M. Jodi Esq. is still a counsel in the matter but that he is no longer the lead counsel. He drew the attention of the Tribunal to a process filed on the 21st of April, 2019 styled: *NOTICE OF CHANGE OF LEAD COUNSEL* wherein he introduced himself as the new lead counsel in the matter.

It is settled law that under *Section 36 of the Constitution of the Federal Republic of Nigeria 1999*, every party has an unfettered right of representation by counsel of his choice. See: *Nwambe V. The State (1995) 3 NWLR (Pt. 384) 358*.

Decided authorities have also held that where a counsel announces his appearance on behalf of a party in any matter, the authority to challenge such representation only lies with party whom he claims to be representing. Neither the Court nor the opposing party can inquire into his authority to appear. See: *Adekanye vs. Federal Republic of Nigeria (2005) 15 NWLR (Pt.949) 433 at 462*.

On the basis of the foregoing, we are of the view that it does not lie in the mouth of any of the Respondents or their counsel to challenge the legal representation of the Petitioners. The objection of learned counsel to the legal representation of Chief Nwoke is therefore overruled.

The second objection raised by the the learned counsel for the 1st and 2nd Respondents was in respect of the Reply of the Applicants which was allegedly filed outside the 3 day period mandated by Paragraph 47 (5) of the 1st schedule to the Electoral Act.

Incidentally, the Applicants' counsel conceded that the Reply was actually filed out of time and implored the Tribunal to grant him extension of time to file the Reply and to deem same as properly filed and served in the interest of justice.

The granting of an enlargement or extension of time is discretionary. In other words, the Court has discretion either to grant or refuse such an application. The discretion must be exercised judicially and judiciously. See *Mumu V. Agor (1993) 8 NWLR (Pt. 313) P.573 @ 582*.

To enable the Court exercise its discretion judicially and judiciously. The applicants must place some materials before the Court which will enable it decide whether the circumstances warrant the exercise of the court's discretion in their favour. See: *Akpoku vs. Ilombu (1998) 8 NWLR (Pt. 561) 283 at 291*. Going through the processes filed by the Applicants, we observed that they did not proffer any explanation whatsoever for their failure to file within time. More so, election petitions being *sui generis*, the time lines are strictly enforced.

Consequently, we agree with the learned counsel for the 1st and 2nd Respondents that since the Reply was filed outside the mandatory 3 days period without the leave of the Tribunal, the said Reply is incompetent and it is accordingly struck out.

We will now determine the application on its merits. As we have earlier emphasised the essence of section 151 of the Electoral Act, 2010 is to enable parties, upon the orders of the Court or Tribunal for inspection/screening to obtain evidence that will support the petition. See: *AKINTAYO v. JOLAOYE (2013) All FWLR (Pt. 679) 1152; AREGBESOLA v. OYINLOLA (2009) 14 NWLR (Pt.1162) 429 @ 448; (2010) LPELR-3688 (CA)*.

In this application, the learned counsel for the 1st and 2nd Respondents has seriously contended that complaints relating to Bargaja and Yanfako wards in Isa Local Government Area of Sokoto State are not live issues before this Honourable tribunal for which an order for inspection and collection of polling materials as well as polling materials can be ordered by this Honourable Tribunal. He made copious references to the reliefs sought by the Petitioners.

We are of the view that it would be rather premature at this interlocutory stage for the Tribunal to begin to make far reaching findings of fact that may prejudice the main trial. It is settled law that a Court hearing an interlocutory application has no jurisdiction to make any pronouncement which has the effect of determining the issue at stake in the substantive matter. In other words, a Court hearing an interlocutory application must avoid making any findings or determination which may prejudge the substantive matter. The following authorities are relevant and in support: *1. Ojukwu v. Government of Lagos State (1986) 3 NWLR (Pt.26) 39 at 45; 2. Kotoye v. Saraki (1994) 7 NWLR (Pt.357) 414 at 444 and 462 E.F; 3. Akapo v. Hakeem-Habeeb (1992) 6NWLR (Pt.247) 266 at 287 G.; 4. Fasakin v. Fasakin (1994) 4 NWLR (Pt. 340) 597 at 622-623; 5. NNSC v. Sabana (1988) 2 NWLR (Pt. 74) 24 at 40; and 6. Agbakoba v. Director SSS (1993) 7 NWLR (Pt. 305) 353 at 362.*

In the event, we cannot make any finding on the contention of the learned counsel for the 1st and 2nd Respondents that complaints relating to Bargaja and Yanfako wards in Isa Local Government Area of Sokoto State are not live issues before this Honourable tribunal. We must await the substantive trial where parties will lead evidence in proof of their case.

At this stage, we are satisfied from the affidavit evidence before us that it will be in the interest of fair hearing and justice for the Applicants to be granted leave to inspect and obtain evidence that will support the petition.

In the event, the sole issue for determination is resolved in favour of the Petitioners/Applicants.

The application succeeds and it is granted as follows:

- 1. AN ORDER of the tribunal directing the 3rd respondent to permit the petitioners/applicants and or their counsels or agents to conduct manual/physical inspection, count, copy, photocopy and obtain certified true copies of all documents and or materials used in the conduct of the conduct of the general election for the seat of***

member, house of representatives for ISA/ SABON BIRNI FEDERAL CONSTITUENCY Sokoto state held on the 23rd February 2019 especially the following documents:

- a) Print out of card readers used for the election in (I) GEBE “A”, GEBE “B”, BARGAJA AND YANFAKO wards of Isa local government area;*
- b) VOTERS REGISTER used in all the polling units in(I) GEBE “A”, GEBE “B” , BARGAJA AND YANFAKO wards of Isa local government area;*
- c) LIST AND SERIAL NUMBERS of all ballot papers issued to all polling units in (I) GEBE “A”, GEBE “B”, BARGAJA AND YANFAKO wards of Isa local government area;*
- d) List and serial numbers of all statements of results forms EC.8A (I) EC.8 B (!) EC.8 C (I) EC.8D (I) AND EC.8D (I) for all the polling units in (I) GEBE “A”, GEBE “B”, BARGAJA AND YANFAKO wards of Isa local government area;*
- e) List and serial numbers of all statements of results forms EC.8A (I) returned from all the polling units in (I) GEBE “A”, GEBE “B”, BARGAJA AND YANFAKO wards of Isa local government area;*
- f) record of list of permanent voters cards pvcs collected in (I) GEBE “A”, GEBE “B”, BARGAJA AND YANFAKO wards of Isa local government area;*
- g) INEC FORM CF: 001 Submitted by the 1st respondent;*

2. AN ORDER permitting the petitioners/applicants to rely on the outcome of such manual/physical inspection as prepared by the petitioners/applicants or their agents.

Costs is assessed at N20, 000.00 (twenty thousand naira) in favour of the Petitioners/Applicants.

HON. JUSTICE P.A. AKHIHIRO
CHAIRMAN

HON. JUSTICE A.N. YAKUBU
1ST MEMBER

HIS WORSHIP S.T BELLO
2ND MEMBER

COUNSEL:

1. CHIEF S.U. NWOKE.....PETITIONERS/APPLICANTS
2. IBRAHIM ABDULLAHI ESQ.....1ST RESPONDENT/RESPONDENT
3. O.F. ABEGUNDE ESQ.....2ND RESPONDENT/RESPONDENT