IN THE HIGH COURT OF JUSTICE
OF EDO STATE OF NIGERIA
IN THE BENIN JUDICIAL DIVISION
HOLDEN AT BENIN CITY
BEFORE HIS LORDSHIP, HON.JUSTICE P.A.AKHIHIERO,
ON WEDNESDAY THE
29TH DAY OF SEPTEMBER, 2021

IN THE MATTER OF THE ADMINISTRATION OF THE ESTATE OF LATE CHIEF AKUME HENRY OMUOREH

BETWEEN: **SUIT NO: B/229/2021**

1. MRS. ELIZABETH ENU OMUOREH
2. MISS UZOEZI MARGARET OMUOREH
(Suing for themselves and on behalf of the beneficiaries of the Estate of Late Chief Akume Henry Omuoreh) — **CLAIMANTS/ APPLICANTS**

AND

1. KINGSLEY OMUOREH
2. MAXWELL OMUOREH
(Sued for themselves and as representing the Other members of Omuoreh family except the Claimants. — **RESPONDENTS**

RULING

This is a Ruling on a Motion on Notice brought pursuant to Order 40 Rules 1 and 2 of the High Court Rules of Edo State 2018 and under the inherent jurisdiction of this Honourable Court.

The motion is praying the Court for the following orders:

a) ***AN ORDER of interlocutory injunction restraining the Defendants, their Servants, Agents or Privies or any person or persons acting on behalf of the Defendants/Respondents from further invasion of the residence of the Plaintiffs to collect any of the properties therein, molesting, harassing, disturbing and or intimidating the Plaintiffs/Applicants, pending the hearing and determination of the Substantive Suit.***

b) ***AN ORDER of interlocutory injunction restraining the Defendants, their Servants, Agents, Privies or any person or persons acting on behalf of the Defendants/Respondents from collecting rents, or otherwise dealing with and or interfering/intermeddling with the properties in the Estate of Late Chief Akume Henry Omuoreh the subject matter of this suit pending the hearing and determination of the Substantive Suit.***

c) ***AND FOR SUCH FURTHER ORDER OR OTHER ORDERS as this Honourable Court may deem fit to make in the circumstance of this case.***

The motion is supported by a 23 paragraph affidavit and three exhibits. Also filed along with the application is the Written Address of the learned counsel to the Applicant.

Arguing the motion, the learned Claimants/Applicants' counsel, ***C. I. Aiguobarueghian Esq.*** adopted his Written Address as his arguments in support of the application.

In his Written Address, the learned counsel formulated a sole issue for determination as follows:

"Whether the Claimants/Applicants have made out a case for a grant for an order of interlocutory injunction in this suit."

Arguing the sole issue for determination, the learned counsel submitted that in an application for interlocutory injunction, the Court considers a number of factors or issues which include the following:

a) Whether there is or are serious questions to be tried;
b) Whether the Claimants/Applicants have a legal right or interest to be protected in the suit or the subject matter that warrants the grant of the injunctive order;
c) Whether damages that will occur if the act is not restrained by an injunction are irreparable or are such that cannot be adequately compensated in monetary term if the Claimants/Applicants succeed at the end of the trial;
d) Whether the balance of the convenience is on the Applicants side and more justice will therefore result in granting the application than in refusing it and; and
e) The Applicant is required to give an undertaking as to damages.

On this point, he referred the Court to the following decisions: ***DEKIT CONSTR.CO.LTD V.ADEBAYO (2010) 20 WRN, MBAJI V. AMOBI (2012) 2 WRN, C.G.C. NIG. LTD. VS. BABA (2003) 23 WRN 44 and OBEYA MEMORIAL HOSPITAL VS. A.G. FEDERATION (2000) 24 WRN 138.***

Learned counsel then addressed the Court on each of these factors.

WHETHER THERE IS OR ARE SERIOUS QUESTIONS TO BE TRIED.

He submitted that there are serious questions to be tried in this suit. That the Claimants/applicants are amongst the beneficiaries of the estate of late Akume Omuoreh (hereinafter referred to as "the deceased") and they are entitled to the peaceful enjoyment of the properties of the deceased, particularly when he married the 1st Claimant/Applicant under the Marriage Act. That the Isoko native law and custom which the Defendants/Respondents stipulate that a deceased man's bedroom should be locked up until he is buried is repugnant to natural justice, equity and good conscience and he urged this Court to so hold.

Furthermore, he submitted that Claimants/Applicants have established a prima facie case and are entitled to the grant of this application.

Secondly, he submitted that the Defendants have no legal right to manage the estate of the deceased without letters of administration.

WHETHER THE CLAIMANTS/APPLICANTS HAVE AN EXISTING LEGAL RIGHT THAT IS THREATENED.

Counsel submitted that the Claimants/Applicants have a legal right that is being threatened. That they are equal beneficiaries of the Estate and the Defendants have taken steps to rob them of such right by assuming the role of administrators of the estate of the deceased without recourse to the Claimants/Applicants.

Furthermore, he posited that the acts of the Defendants by visiting the developed properties in the Estate of the deceased in order to take over the management of the properties, to collect rents, the subsequent visit to the school hostel and a block of flats in the estate and the direction to the tenants therein to pay their rents to the 2nd Defendant/Respondent amounts to a threatened right against the Claimants/Applicants.

WHETHER DAMAGES WOULD BE ADEQUATE COMPENSATION FOR THE APPLICANTS IN THE EVENT THAT THEY SUCCEED AT THE TRIAL?

Learned counsel submitted that damages will not be adequate compensation for the Applicants particularly where the Claimants/applicants have not asked for damages. He maintained that the trauma and hardship that the Defendants have caused the Claimants/Applicants is not quantifiable in monetary terms and therefore damages cannot assuage them.

WHETHER THE BALANCE OF CONVENIENCE IS IN FAVOUR OF THE APPLICANTS SUCH THAT MORE JUSTICE WOULD RESULT IN GRANTING THE APPLICATION THAN IN REFUSING IT.

Counsel submitted that the balance of convenience is in favour of granting this application. That the Claimants/Applicants have been exposed to untold hardship, stress and psychological trauma by the acts of the Defendants/Respondents by locking the doors in the house of the

Claimants/Applicants, seizing the international passport of the Claimants/Applicants and the purported assumption of the administrator of the Estate of the deceased without recourse to the Claimants/Applicants when the 1st Claimant/Applicant has four (4) children for the deceased.

WHETHER THE APPLICANTS HAVE GIVEN AN UNDERTAKING TO COMPENSATE THE RESPONDENTS IN DAMAGES IN THE EVENT THAT IT LATER TURNS OUT THAT THE ORDER OUGHT NOT TO HAVE BEEN MADE.

He posited that the Claimants/Applicants have given an undertaking to compensate the Defendants/Respondents if at the end it is found that this order ought not to have been made.

In conclusion, he submitted that the Claimants/Applicants have made out a case for interlocutory injunction and he urged the Court to grant the application.

In opposition to the application, the Defendants/Respondents filed a 25 paragraphs affidavit to which is attached a lone Exhibit EEA.1, the Affidavit was deposed to by the 2nd Defendant/Applicant. In further opposition, there is a 15 paragraphs affidavit, deposed to by one Mr. Noma Jubril, (the security personnel)**.** In his written address in opposition to the application, the learned counsel for the Defendants/Respondents, ***J. E. Imagbeghian Esq.,*** articulated his arguments under several sub-headings.

PURPOSE OF THE RELIEF

Here, learned counsel submitted that the purpose of an application for interlocutory injunction is to protect an Applicant against injury by violation of his/her right for which he cannot be adequately compensated in damages recoverable in the action if the case were to be resolved in his/her favour at the trial. He submitted that it has been held that the Court in protecting the Applicant, should also protect the Respondent, so that in protecting one party, the other party's interest is not sacrificed or hurt. See the case of ***BRAITHWAITE V S.C.B NIG LTD (2012) 1 NWLR (Pt.1281)***.

Counsel submitted that for this equitable relief to avail any Applicant, the Court must be guided by the legal principles enunciated in the case *of* ***FALOMO v. BANIGBE (1998) 7 NWLR (Pt 559) 676*****,** namely;

a. ***Whether the Applicant has a Legally Recognisable Right to be protected pending the Determination of the suit;***
b. ***Serious issues or question between the parties to be tried by Court;***
c. ***Balance of Convenience;***
d. ***If Monetary Damages will not be adequate compensation for the injury resulting from the violation of the Applicant's right if they succeed at the end of the trial;***
e. ***Conduct of the Applicant is reprehensible;and***

f. Undertaking as to damages.

WHETHER THE APPLICANT HAS A LEGAL RIGHT:

Learned counsel submitted that an interlocutory injunction is a judicial remedy by which a person is ordered to refrain from doing a particular act. He maintained that it is an equitable relief which is usually granted to restrain the Respondents from doing any act that will breach the known legal rights of an Applicant**.** See the case of ***AJEWOLE V ADETIMO (1996) 2 NWLR (Pt.431) 391 @ 400 – 401 and 404.***

On this score, learned counsel submitted that the provisions of the Isoko Native Laws and Customs**,** which is the custom of the deceased should ordinarily govern the affairs of the Applicants. He submitted that the Applicants have not disclosed any exclusive legal right for which an order of interlocutory injunction can be granted. He further submitted that the Applicants must show through credible evidence that they both have Legal Rights to the exclusion of any other person, which they seek to protect against any violation.

To buttress his position he referred the Court to paragraphs 8(a), (b), (e), (f), (i), 9, 10, 11, 19 (c), 20, 21 and 24 of their Counter Affidavit, where they x-rayed the true position of things as it presently stands in the deceased's family. That from their Counter Affidavit, it is evident that the 1st Applicant only procured her Exhibit "A", after the demise of her husband and for the sole purpose of filing this suit, see paragraphs 9, 10 and 11 of our Counter Affidavit. He said that this also makes Exhibit "A", a strong casualty of ***Sec 83 (3) Evidence Act***.

Counsel emphasized that this Application can only stand if there is a legal right which the Applicant seeks to protect by this relief. He submitted that such right or rights does not exist and the 1st Applicant is trying to covet the intestate estate of the deceased. He said that his submission is further clarified by the affidavit evidence of Mr. Noma Jubril, the security personnel that was hired by the family to keep watch over some of the properties in the estate until the time was ripe for sharing. He also relied on the case of ***ADENUGA & ORS V ODUNEWU 7 ORS (2001) 2 NWLR (Pt. 690) @ 184*** where his Lordship, ***UWAIFO JSC*** exposited thus:

"…that an Applicant for Interlocutory Injunction must show existing Legal Rights which he/she seeks to protect in the interim, before he can enjoy that relief"

SERIOUS ISSUE TO BE TRIED BETWEEN THE PARTIES

Learned counsel submitted that this application is frivolous and vexatious and there is no serious question to be tried. He posited that the writ of summons and affidavit in support of the application are built on lies which the Respondents Counter Affidavit has exposed. He submitted that the facts deposed to in the Respondents' Counter Affidavit point to one irresistible conclusion that there are

no serious issues to be tried by this Honourable Court, but self-made and imposed issues. He referred to the case of ***OLOKAKASUN & Anor V. GOV, RIVERS STATE & Ors (1996) 1 NWLR (PT 425) 453 @ 465*** where the Supreme Court held thus: ***"…it is also the law as I earlier stated in this ruling that the Applicant for an Interlocutory Injunction needs only show that there is substantial issues to be tried at the Hearing subject to which the governing consideration is the maintenance of the status quo pending the trial"***

He submitted that the Applicants are only looking for an easy way out to appropriate the remaining properties of the deceased's estate to themselves alone without considering the 2nd wife and her much younger children.

FULL DISCLOSURE

Counsel submitted that an Applicant seeking the relief of Interlocutory Injunction, must satisfy the Court that he has met all the conditions enunciated by the Apex Court in the case of ***BUHARI V OBASANJO (Supra)***.

He posited that an application for interlocutory injunction cannot be gotten as of right or as a matter of course and the Applicant must satisfy the Court that all the principles for the granting of the reliefs have been met. See ***ADELEKE V LAWAL (2014) 3 NWLR (Pt.1393) p.1 SC.***

He said that the Supreme Court in the case of ***BUHARI & ORS V OBASANJO & ORS (2003) 17 NWLR (Pt.850) 587*** succinctly laid down the principles guiding the grant of the equitable relief of Interlocutory Injunction when they stated *inter alia* thus:

> ***"An Interlocutory Injunction which is granted in the Litigation process is basically aimed at maintaining the status quo pending the determination of the issues submitted for adjudication by the Court. It is an equitable jurisdiction which the Courts is called upon to exercise in the light of the facts presented before it by the Applicant and in order to enable the Court exercise equitable Jurisdiction, the Application must present convincing facts which in themselves indicate the well laid down principles for granting injunction. The Injunctions is never granted as a matter of grace, routine or course. On the contrary, the Injunction is granted only in deserving cases, based on hard Laws and Facts"***

Also he referred to the decision of the apex Court in the case of ***BENKAY NIG LTD V CADBURY NIG LTD (2006) 6 NWLR (Pt. 976) @ 338*** where they stated thus:

> ***"An Applicant seeking for an Injunctive relief must make full disclosure of facts"***

He emphasized that an Applicant is not supposed to suppress any facts when approaching the Court for the grant of an interlocutory injunction but must make full disclosure so as to enable the Court to reach a just determination of the application as suppression of facts will mislead the Court.

Learned counsel contended that the Applicant has evaded full disclosure of all the facts that has so far transpired. That all through her Affidavit, she told only lies to attract the sympathy of Court. He submitted that the Applicants, have not made any full disclosure, rather they are trying to whip up sentiments. He maintained that sentiments have no place in our laws, especially in the build up to the granting of an interlocutory injunction. He referred the Court to the following decisions: ***BUHARI & ORS V OBASANJO & ORS (Supra); ZENITH INTERNATIONAL BANK LIMITED v. ODUNLAMI (2003) ALL FWLR (PT 59) 1320;*** and ***SOYANWO v. AKINYEMI (2001) 8 NWLR (Pt 1714) 75 @ 124***.

BALANCE OF CONVENIENCE

On this point, he submitted that the issue at this stage is whether the balance of convenience is in favour of the Claimant/Applicant, which is whether more injury will result in granting the injunction rather than refusing same.

He posited that the Law enjoins the court to weigh the evidence on both sides and determine who stands to lose more if the status quo is not maintained. See ***ILECHUKWU V. IWUGO (1989) 8 NWLR (PT 101) 99***. Counsel submitted that if the injunction is granted, the Defendants/Respondents stands to lose more because the responsibilities of the 2nd wife and her innocent and much younger children automatically falls on the Respondents who also have their own families. He posited that the deceased left more than enough to go round and satisfy the genuine needs of all his children and not the greed of the Applicants as shown in their affidavit evidence and their Joint Statement of Defence. He referred the Court to paragraphs 12 – 15 of their Counter Affidavit and submitted that not granting this injunction will help in preserving the properties in the intestate estate of the deceased pending the hearing and determination of this case. He relied on the following cases: ***I.T.N.A.G.P.P.E V. P.C.N (2012) 2 NWLR (PT 1284) 262 @ 273; and UDEZE V. ORAZULIKE TRADING CO. LTD (2003) 3 NWLR (PT 645) 203 @ 219***.

He therefore urged the Court to hold that the balance of convenience is not in favour of the Claimants/Applicants.

MONETARY COMPENSATION

Learned counsel submitted that the Applicants have not shown any special injury they have suffered or will suffer if the Respondents are not restrained. He contended that if the Defendants/Respondents are restrained, the Claimants/Applicants will plunder the resources of the deceased which ordinarily is meant for all the 8 Children of the deceased consistent with the Isoko Native Laws and Customs. He referred to paragraphs 12 – 15 of their Counter Affidavit. He said that without this judicial remedy, the Applicants are already appropriating everything to themselves and he urged the Court to accord their Counter Affidavit a special consideration in the interest of Justice. That anything which alters this position wrongfully can never be quantified in damages to the deceased family and the 2nd wife and he referred the Court to the following decisions on the point: ***MADUBUIKE V. MADUBUIKE (2001) 9 NWLR (PT 719) 698 @ 700 R 2; OGUNSHOLA V. USMAN (2002) 14 NWLR (PT 788) 636 @ 642 R 4; OKECHUKWU V. OKECHUKWU (supra) OKOTIE-EBOH V. MTS JADESIMI (2001) 10 NWLR (720) 52; CHRISTLIEB PLC V. MAJEKODUNMI (2008) 16 NWLR (PT 1113) 297 @ 334 R 13***.

He submitted that in the instant case, the reverse is the case, because it is the Respondents that will bear the burden of the 2nd wife and her much younger innocent children if this Honourable Court decides otherwise.

REPREHENSIBLE CONDUCT OF THE RESPONDENTS

Learned counsel submitted that applications for interlocutory injunction are properly made to keep matters in status quo until the hearing and determination of the suit. See ***KOTOYE V. C.B.N (1989) 1 NWLR (PT 89) 419***.

He submitted that the Applicants have not shown anything to attract the sympathetic consideration of this Honourable Court, rather the Applicants conduct of breaking into the secured premises/properties of the deceased as deposed to by Mr. Noma Jubril should be frowned at by the Court. See ***OKEKE-OBA V. OKOYE (1984) 8 NWLR (PT 346) 60.***

He urged the Court to maintain the status quo until the issue between the parties is properly determined. See ***BABATUNDE ADENUGA V. J.K ODUMENI (2001) 10 NWLR (PT 695) 184***.

He finally urged the Court to dismiss the application as same lacks merit and is a gross abuse of Court process.

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

An application for interlocutory injunction seeks a discretionary remedy. It is settled law that all judicial discretions must be exercised judicially and judiciously. The essence of an interlocutory injunction is the preservation of the *status quo ante bellum*. The order is meant to forestall irreparable injury to the applicant's legal or equitable right. See the following decisions on the point:

Madubuike vs. Madubuike (2001) 9NWLR (PT.719) 689 at 709; and Okomu Oil Palm Co. vs. Tajudeen (2016) 3NWLR (Pt.1499)284 at 296.

The principal factors to consider in an application for interlocutory injunction are as follows:

I. The applicant must establish the existence of a legal right;

II. That there is a serious question or substantial issue to be tried;

III. That the balance of convenience is in favour of the applicant;

IV. That damages cannot be adequate compensation for the injury he wants to prevent;

V. That there was no delay on the part of the applicant in bringing the application; and

VI. The applicant must give an undertaking to pay damages in the event of a wrongful exercise of the Court's discretion in granting the injunction.

See also, the following decisions on the point: ***Kotoye v C.B.N. (1989) 1 NWLR (Pt.98) 419; Buhari v Obasanjo (2003) 17 NWLR (Pt.850) 587; and Adeleke v Lawal (2014) 3 NWLR (Pt.1393) 1at 5.***

Therefore, the issue for determination in this application is whether the Applicant has satisfied the above enumerated conditions to warrant the exercise of the discretion of this Court in his favour.

The most important pre-condition is for the applicant to establish that he has a legal right which is threatened and ought to be protected. See: ***Ojukwu vs Governor of Lagos State (1986) 3 NWLR (Pt.26) 39; Akapo vs Hakeem Habeeb (1992) 6 NWLR (Pt.247) 266-289.***

From the exchange of affidavits it is an undeniable fact that the Claimants/Applicants are beneficiaries of the estate of the deceased. They are trying to enforce their rights as beneficiaries of the estate against the Defendants who they allege are trying to rob them of their rights by assuming the role of administrators of the estate of the deceased.

In his written address, the learned counsel for the Defendants/Respondents while seriously contending that the Applicants have no legal right to protect, submitted that the provisions of the Isoko Native Laws and Customs**,** which is the custom of the deceased should ordinarily govern the affairs of the Applicants. He further referred the Court to paragraphs 8(a), (b), (e), (f), (i), 9, 10, 11, 19 (c), 20, 21 and 24 of their Counter Affidavit and posited that the 1st Applicant only procured her Exhibit "A", after the demise of her husband and for the sole purpose of filing this suit.

With respect to the application of Isoko native law and custom and the weight to be attached to Exhibit A, I am of the view that it is premature to make any such finding at this stage. The Law is settled that in dealing with any interlocutory application the Court should not delve into the substantive issues. A Court must avoid the determination of a substantive issue at an interlocutory stage. It is never proper for a court to make pronouncement in the course of interlocutory proceedings on issues capable of prejudging the substantive issues

before the Court. See the following decisions on the point: ***Consortium MC v NEPA (1992) NWLR (Pt.246) 132, Barigha v PDP & 2 Ors (2012) 12 SC (Pt.v) 1, Mortune v Gimba (1983) 4 NCLR 237 at 242.***

From the available evidence, I think the Applicants have identified their legal rights which they seek to protect as beneficiaries of the deceased's estate. I am of the view that at this stage, they have adduced sufficient evidence to establish the fact that they some legal rights to protect in relation to the issues to be determined in the substantive suit.

On the second condition of having a serious question or substantial issue to be tried, I am guided by the dictum of the Court in the case of: ***Onyesoh vs Nze Christopher Nnebedun & Others (1992) 1 NWLR (Pt.270) 461 at 462***, where it was re-emphasized that:

"It is not the law that the applicant must show a prospect of obtaining a permanent injunction at the end of the trial. It is sufficient for the applicant to show that there is a serious question between the parties to be tried at the hearing."

Also, in the case of: ***Ladunni vs. Kukoyi (1972) 1 All NLR(Pt.1) 133***, the Court opined that: ***"…when a Court considers an application for interlocutory injunction, it is entitled to look at the whole case before it, all the circumstances which may include affidavit evidence, judgments or pleadings if these have been filed. All these show what is in the dispute between the parties".***

From the facts disclosed in the affidavit and counter-affidavit it is evident that there are substantial issues to be tried in the substantive suit in relation to the application of the rights of the beneficiaries and that of the Defendants/Respondents who are trying to assume the role of administrators of the estate of the deceased.

On the balance of convenience, the applicant must show that the balance of convenience is on his side. In the classical case of: ***Kotoye v C.B.N. (1989) 1 NWLR (Pt.98) 419***, the Supreme Court explained that the applicant must establish that more justice will result in granting the application than in refusing it.

Presently, the Applicants are apprehensive that they will suffer more if this application is not granted and the Respondents are allowed to continue to act as administrators of the deceased's estate. Going through the Respondents' Counter-Affidavit they are contending that if the application is granted, the Applicants will plunder the estate and the responsibilities of the 2nd wife and her children will automatically fall on the Respondents who also have their own families. Thus they are contending that the burden of taking care of the 2nd wife and her children may fall on them if this application is granted.

I think it is quite speculative at this stage to talk about the Applicants plundering the deceased's estate and the 2nd wife and her children facing some hardship thereafter. As a matter of fact, the 2nd wife and her children are not

parties to the main suit. The Respondents cannot be crying more than the bereaved.

I am of the view that at this stage it is the Applicants who are the parties in this suit that can complain of suffering more if the application is not granted. From the available evidence, the balance of convenience tilts in favour of the Applicants.

Next is on the requirement of inadequacy of damages. In the case of: ***American Cyanamid Co. vs Ethicon Ltd. (1975) (1975) 1 ALL E.R. at 504 pp. 5l0***, the English court stated the position thus:

"If damages …would be an adequate remedy and the defendant would be in a financial position to pay them, no interlocutory injunction should normally be granted, however strong the plaintiff's claim appeared to be at that stage"

Going through the Claimants'/Applicants' reliefs in the main suit, I observed that the Claimants/Applicants are not asking for damages. Thus it is evident that there will be no award of damages to compensate the Applicants if the Respondents are allowed to continue their alleged acts of infringement of their rights.

On the condition of whether the Applicants were prompt in bringing the application, I observed that this application was filed along with the originating processes in this suit so I do not think there was any delay on the part of the Applicants in filing this application.

Finally, on the requirement of an undertaking to pay damages in the event of a wrongful exercise of the Court's discretion in granting the injunction, I observed that in paragraph 21 of the supporting affidavit, the Claimants/Applicants gave an undertaking to pay damages to the Defendants if at the end, this application is one which ought not to have been granted.

On the whole, I am satisfied that the Applicants have fulfilled the requirements to enable this court exercise its discretion to grant this application.

Consequently, this application succeeds and I hereby order as follows:

a) ***AN ORDER of interlocutory injunction restraining the Defendants, their Servants, Agents or Privies or any person or persons acting on behalf of the Defendants/Respondents from further invasion of the residence of the Plaintiffs to collect any of the properties therein, molesting, harassing, disturbing and or intimidating the Plaintiffs/Applicants, pending the hearing and determination of the Substantive Suit;***
b) ***AN ORDER of interlocutory injunction restraining the Defendants, their Servants, Agents, Privies or any person or persons acting on behalf of the Defendants/Respondents from collecting rents, or otherwise dealing with and or interfering/intermeddling with the properties in the Estate of Late Chief Akume Henry Omuoreh the subject matter of this suit pending the hearing and determination of the Substantive Suit.***

I award the sum of N50, 000.00 (fifty thousand naira) as costs in favour of the Claimants/Applicants.

P.A.AKHIHIERO
JUDGE
29/09/2021

<u>COUNSEL:</u>
C. I. AIGUOBARUEGHIAN ESQ----------CLAIMANTS/APPLICANTS
JUDE EDOBOR IMAGBEGHIAN ESQ--DEFENDANTS/RESPONDENTS