

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY**  
**IN THE ABUJA JUDICIAL DIVISION**  
**HOLDEN AT COURT NO. 4, MAITAMA ON THE**  
**6<sup>TH</sup> DAY OF FEBRUARY, 2023**

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

**SUIT NO. FCT/HC/CV/3064/2015**  
**MOTION NO. M/6725/2021**

COURT CLERKS: *JOSEPH ISHAKU BALAMI & ORS.*

**BETWEEN:**

BARRISTER ESIKA JUDE CHUKA ..... JUDGMENT CREDITOR/  
APPLICANT

AND

MR. PETER OKENWA ..... JUDGMENT DEBTOR/  
RESPONDENT

AND

1. ACCESS BANK PLC
2. ECOBANK PLC
3. FIDELITY BANK PLC
4. FIRST BANK OF NIG. PLC
5. FIRST CITY MONUMENT BANK PLC
6. GUARANTY TRUST BANK PLC
7. HERITAGE BANK PLC
8. KEYSTONE BANK LTD
9. POLARIS BANK PLC
10. STANBIC IBTC BANK LTD
11. STANDARD CHARTERED BANK NIG. LTD
12. STERLING BANK PLC
13. UNION BANK PLC
14. UNITED BANK FOR AFRICA PLC
15. UNITY BANK PLC
16. WEMA BANK PLC
17. ZENITH BANK PLC
18. ASO SAVINGS & LOANS PLC

GARNISHEES

## **RULING**

I have read the Affidavit. I have also considered the Written Address of Counsel.

By Section 83 (1) of the Sheriff and Civil Process Act, the Court may upon an ex parte application of any person who is entitled to the benefit of a judgment such as this, grant the application if

- (1) The judgment debt is unsatisfied.
- (2) The amount of the said judgment sum is stated and known.
- (3) That the garnishee is indebted to such debtor.
- (4) That the Judgment Debtor is within jurisdiction.

The Applicant says in paragraph 9 that he honestly and reasonably believes that the Judgment Debtor maintains accounts with the Garnishees.

In my view, the Judgment Creditor/Applicant has not done due diligence to know which bank the Defendant/Judgment Debtor maintains an account with.

It will not be fair for the Court to drag all the banks in Abuja to Court. The Court must be satisfied that the Judgment Debtor maintains an account with the said bank.

I cannot therefore grant the application. It is hereby refused. It is accordingly struck out.

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**HON. JUSTICE U. P. KEKEMEKE**  
(HON. JUDGE)  
06/02/2023

Parties absent.

U. K. Apugo, Esq. for the Judgment Creditor/Applicant.

**COURT:** Ruling delivered.

(Signed)  
**HON. JUDGE**  
06/02/2023