

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT COURT NO. 4, MAITAMA ON THE

20TH DAY OF NOVEMBER, 2023

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

SUIT NO. FCT/HC/CV/6785/2023

MOTION NO. M/11755/2023

COURT CLERKS: JOSEPH ISHAKU BALAMI & ORS.

BETWEEN:

INT TOWERS LIMITED CLAIMANT/APPLICANT

AND

1. MR. OLALEKAN ANTHONY ADEBIYI } DEFENDANTS
2. ALHASSAN DANGANA }

RULING

I have read the application and considered the Written Address of Counsel. This suit was filed on the 16th of July, 2023. The exparte application was also filed the same date which is about four months ago.

The *res* is the property situate at Plot 192 Asokoro District, Cadastral Zone A04, Abuja. The contention is about the leasehold.

In application such as this, time is of the essence. What is contemplated by law is urgency between the happening of the event which is sought to be restrained by the injunction and the date the application could be heard if taken after due notice to the other side.

No real urgency is disclosed in the instant case. The *res* is not perishable. What is in contention is the leasehold of the property.

God did not condemn Cain for killing his brother until He heard from him. I do not think it is just to restrain the Defendants without hearing from them.

The Claimant will not be prejudiced. The application lacks merit and it is dismissed.

HON. JUSTICE U. P. KEKEMEKE
(HON. JUDGE)
20/11/2023

Parties absent.

Hallelujah T. Annaker, Esq. for the Claimant/Applicant.

COURT: Ruling delivered.

(Signed)
HON. JUDGE
20/11/2023