

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

**16<sup>TH</sup> DAY OF OCTOBER, 2023**

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

**SUIT NO. FCT/HC/CV/698/2017**  
**MOTION NO. M/GAR/842/2023**

COURT CLERKS: *JOSEPH ISHAKU BALAMI & ORS.*

**BETWEEN:**

**KWAJAJFFA MOTORS NIGERIA LTD ..... JUDGMENT CREDITOR/  
APPLICANT**

**AND**

**NIGERIAN ARMY ..... JUDGMENT DEBTOR**

**AND**

<b>1. FIRST BANK OF NIGERIA PLC</b>	}	<b>GARNISHEES</b>
<b>2. FIDELITY BANK PLC</b>		
<b>3. FIRST CITY MONUMENT BANK PLC</b>		
<b>4. ZENITH BANK PLC</b>		

**RULING**

I have read the Motion and Affidavit. For an application such as this to succeed, the Applicant must prove the following:

- (1) That judgment has been recovered.
- (2) That it remains unsatisfied and to what amount.

(3) That any person is indebted to such debtor.

The Applicant has not proved the third factor. There is no affidavit evidence to show that the Garnishees are indebted to the Judgment Debtor.

The Applicant has not made thorough investigation to show if the monies of the Judgment Debtor are in the custody of the Garnishee Banks.

Merely parading banks as likely vaults where Judgment Debtor may be banking is not enough. It is speculative.

I will not lightly make Orders to further overburden the banking systems to hire Legal Practitioners over an issue they don't have any relationship with.

The application fails and it is refused.

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**HON. JUSTICE U. P. KEKEMEKE**  
(HON. JUDGE)  
16/10/2023

Parties absent.

A. M. Chubago, Esq. for the Judgment  
Creditor/Applicant.

**COURT:** Ruling delivered.

(Signed)  
**HON. JUDGE**  
16/10/2023