

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY**

**IN THE ABUJA JUDICIAL DIVISION**  
**HOLDEN AT GWAGWALADA – ABUJA**

**DATED THIS TUESDAY THE 16<sup>TH</sup> DAY OF JULY, 2024**

**BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFIA**

**SUIT NO: FCT/HC/GWD/CV/44/2022**

**BETWEEN**

**PELUMI OLAJENGBESI ESQ..... PLAINTIFFS/APPLICANT**

**AND**

**ALHAJI UMAR AHMED..... DEFENDANT**

Appearance: Sunday Adebayo for the claimant

Prince Alashi for the defendants.

Claimant/Counsel, on record the matter is slated for ruling but having taken a careful look at the entire suit, we deem it necessary that this matter be discontinued.

In compliance with the rules of the court, we filed a notice of discontinuance and consequently asked the court to strike out this matter.

Defence counsel we are not objecting to the notice of discontinuance even though we have not been served.

Considering the expenses incurred by the defendant in this matter in respect to all processes and files and all cost of processes served on the claimant i.e. the P.O. on the 15/4/2024 and today being slated for ruling on that P. O., we shall pray that the

court should impose the cost of N500, 000.00 on the claimant to be paid to the defendant.

Claimant we shall not concede to the payment of cost. Cost follow events, up till now this matter is still at the preliminary stage as well from the record before the court, even defence has not been filed especially the prayer for the striking out the matter is still at the same trial stage, the defendant prays this Hon. Court even in their motion that the court would have ruled. So nothing has changed.

Court application for cost applied for by the defendant counsel is hereby granted. Considering the length of time this matter has taken since the filing of this suit on the 6/6/2022 parties have exchanged pleadings as the record of this court speaks for itself, hence I shall award the sum of N100, 000.00 costs in favour of the defendant.

This matter is hereby struck out from the cause list based on the letter of discontinuance.

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**Hon. Justice A. Y. Shafa**