

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY  
IN THE ABUJA JUDICIAL DIVISION  
HOLDEN AT GARKI, ABUJA**

**CLERK: MRS VICTORIA SILAS ADINOYI  
COURT NO. 9**

**SUIT NO: FCT/HC/CV/451/2025  
MOTION NO: M/253/2025  
DATE: 13/2/2025**

**BETWEEN:**

**HALKIN EXPLORATION AND  
PRODUCTION LIMITED.....CLAIMANT/APPLICANT**

**AND**

**EUNISELL LIMITED.....DEFENDANT/RESPONDENT**

**RULING**

**(DELIVERED BY HONOURABLE JUSTICE S. B. BELGORE)**

The Claimant/Applicant filed the instant Motion *Ex-parte* with Motion number M/253/2025 beseeching this Court to grant the following prayers:

1. **AN ORDER** of this Honourable Court granting leave to the Claimant/Applicant to serve the originating process, all other subsequent processes and hearing notices in this suit on the Defendant outside the jurisdiction of this Honourable Court and in Lagos at 196A, Jide Oki Street, Victoria Island, Lagos.
2. **AN ORDER** appointing the legal practitioners in the law firm of Ojukwu Chikaosolu & Co., Counsel to the Claimant/Applicant herein, as Special Bailiffs to effect the service of the processes in Order No. (1) by courier service and to depose to affidavits of service in that regard.

3. **AN ORDER** granting accelerated hearing of this suit.
4. **AND FOR SUCH FURTHER OR OTHER ORDER(S)** as this Honourable Court may deem fit to make in the circumstances of this application.

The application is supported by an affidavit of 6 paragraphs as well as a Written Address.

A short while ago, Learned Counsel for the Claimant/Applicant, Ebere Nwanya Esq. moved the said application and urged me to grant same as prayed.

I have considered the Claimant/Applicant's application in the light of the averments in paragraphs 4(a)-(g) and 5 (a)-(e) of the supporting affidavit and also read the provision of Section 97 of the Sheriffs and Civil Process Act which Learned Counsel referred me to in the written address. This Court has also considered the provision of Order 7 of the Rules of this Court vis-a-vis the depositions in the affidavit.

I agree with Learned Counsel for the Claimant/Applicant that this Court has the power to authorize the service of processes outside the jurisdiction of this Court on the Defendant/Respondent as the address given as No. 196A, Jide Oki Street, Victoria Island, Lagos as prayed for in this application. I am also of the view that prayer No. (2) which seeks the appointment of Claimant/Applicant's Counsel for the purpose of effecting the service through a courier service and deposing to an affidavit in that regard, will aid in the proper service of the processes in this suit. Having considered the averments in the supporting affidavit, I have no difficulty in granting prayers (1) & (2), and I so hold.

I am however not inclined to grant the prayer for accelerated hearing as contained in the Claimant/Applicant's prayer No. (3). In my view, this prayer is premature at this stage, as the Defendant/Respondent has not even been served with the originating process in this suit to enable it join issues in respect of the substantive suit. The prayer is therefore refused.

In the final analysis, these are the orders of this Court: For clarity, these are the orders of this Court:

1. **LEAVE IS HEREBY GRANTED** to the Claimant/Applicant to serve the originating process, all other subsequent processes and hearing notices in this suit on the Defendant outside the jurisdiction of this Honourable Court and in Lagos at 196A, Jide Oki Street, Victoria Island, Lagos.
2. **AN ORDER IS HEREBY MADE** appointing the legal practitioners in the law firm of Ojukwu Chikaosolu & Co., Counsel to the Claimant/Applicant herein, as Special Bailiffs to effect the service of the processes in Order No. (1) by courier service and to depose to affidavits of service in that regard.
3. **Prayer No. (3)** is hereby refused.

Consequently, this suit is adjourned to 8<sup>th</sup> April, 2025 for report of service/mention.

.....  
**S. B. Belgore**  
(Judge) 13/2/2025

**APPEARANCE:**

Ebere Nwanya (Mrs.) for the Claimant/Applicant