

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

**CLERK: CHARITY ONUZULIKE
COURT NO. 9**

**SUIT NO: FCT/HC/CV/1285/2019
DATE: 8/10/2024**

BETWEEN:

MUSTAPHA MOHAMMED ABUBAKAR.....CLAIMANT

AND:

ZEBERCED LTD.....DEFENDANT

RULING

(DELIVERED BY HON. JUSTICE SULEIMAN B. BELGORE)

I have considered this application vide M/1060/2024 asking for a dismissal of this suit on ground of lack of diligent prosecution. I have also adverted critically to paragraph 4 of the supporting affidavit wherein it was deposed that this case instituted since 2019 has suffered several adjournment due to the absence of claimant and his Counsel in Court. This paragraph of the affidavit has not been challenged, and it is therefore taken as the truth.

In effect therefore, I find merit in this application and it is therefore granted as prayed. Meaning this Suit No. **FCT/HC/CV/1285/2019** is hereby struck out for lack of diligent prosecution.

Signed
S. B. Belgore
(Judge) 8/10/2024