

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY  
IN THE ABUJA JUDICIAL DIVISION  
HOLDEN AT COURT 9, AREA 11, GARKI, ABUJA  
BEFORE HIS LORDSHIP: HON. JUSTICE S. B. BELGORE**

**SUIT NO: FCT/HC/GAR/M/1433/24  
MOTION NO: M/1432/24  
DATE: 24-10-2024**

**BETWEEN**

**SHUKURAH CLINICS LIMITED } CLAIMANT**

**AND**

- 1. HON. MINISTER, FEDERAL CAPITAL TERRITORY**
  - 2. FEDERAL CAPITAL DEVELOPMENT AUTHORITY**
  - 3. DIRECTOR, LAND ADMINISTRATION DEPARTMENT, FEDERAL CAPITAL TERRITORY ADMINISTRATION**
  - 4. DIRECTOR, URBAN & REGIONAL PLANNING, FEDERAL CAPITAL TERRITORY ADMINISTRATION**
  - 5. COORDINATOR ABUJA METROPOLITAN MANAGEMENT COUNCIL (AMMC)**
  - 6. DIRECTOR, DEPARTMENT OF DEVELOPMENT CONTROL**
  - 7. UNKNOWN PERSONS**
- DEFENDANTS**

8. INSPECTOR GENERAL OF POLICE
9. COMMISSIONER OF POLICE,  
FEDERAL CAPITAL TERRITORY

## RULING

### (DELIVERED BY HON. JUSTICE S. B. BELGORE)

This one sided application vide a Motion *Ex-parte* – M/1432/2024, dated and filed on 10/7/2024, prayed for the following reliefs:

- (1) **AN ORDER** extending time within which the Applicant may apply for leave to apply for an order for judicial review against the Respondents herein.
- (2) **AN ORDER** granting leave of Court to the Applicant to apply for an order of mandamus compelling the 1<sup>st</sup> to 6<sup>th</sup> Respondents to perform their statutory functions in terms of the application for an order of mandamus.
- (3) **AN ORDER** directing the Respondents to show cause why the 1<sup>st</sup> Respondent should not direct the head of 1<sup>st</sup> to 6<sup>th</sup> Respondents to remove, evict or clear illegal squatters and trespassers from Plot 313, Cadastral Zone A09, Guzape, Abuja by the 7<sup>th</sup> Respondent belonging to the Applicant pending the determination of the Motion on

Notice to be filed upon the grant of leave as sought in this application.

- (4) **AN ORDER** directing the heads of the 1<sup>st</sup> to 6<sup>th</sup> Respondents to show cause why they should not be compelled to remove illegal squatters and trespassers on Plot 313, Cadastral Zone A09, Guzape, Abuja for the purpose of handing over possession to the Applicant the lawful allottee of the said plot pending the determination of the Motion on Notice to be filed upon the grant of leave as sought in this application.
- (5) **AN ORDER** for substituted service of all processes in this suit on the 7<sup>th</sup> respondent(s) by pasting same at Plot 313, Cadastral Zone A09, Guzape, Abuja.

In support is a 28-paragraph affidavit and a written address. The application is predicated on 7-grounds as shown on the Motion papers.

A few minutes ago, learned Counsel to the applicant, Mr. Muhammed N. Mohammed SAN, moved the application *brevi manu*. He urged me to grant the application.

I have considered the application as summarily as it was moved. I had adverted to the provision of Order 2 and Order 44 of the Rules of this Court. I have also gone through the affidavit evidence of Mr. Iliyasu and the written arguments filed. I am satisfied that the application has considerable merit and it is therefore granted as prayed.

For avoidance of doubt, it is hereby ordered as follows:

- (1) **AN ORDER** extending time within which the Applicant may apply for leave to apply for an order for judicial review against the Respondents herein.
- (2) **AN ORDER** granting leave of Court to the Applicant to apply for an order of mandamus compelling the 1<sup>st</sup> to 6<sup>th</sup> Respondents to perform their statutory functions in terms of the application for an order of mandamus.
- (3) **AN ORDER** directing the Respondents to show cause why the 1<sup>st</sup> Respondent should not direct the head of 1<sup>st</sup> to 6<sup>th</sup> Respondents to remove, evict or clear illegal squatters and trespassers from Plot 313, Cadastral Zone A09, Guzape, Abuja by the 7<sup>th</sup> Respondent belonging to the Applicant pending the determination of the Motion on

Notice to be filed upon the grant of leave as sought in this application.

- (4) **AN ORDER** directing the heads of the 1<sup>st</sup> to 6<sup>th</sup> Respondents to show cause why they should not be compelled to remove illegal squatters and trespassers on Plot 313, Cadastral Zone A09, Guzape, Abuja for the purpose of handing over possession to the Applicant the lawful allottee of the said plot pending the determination of the Motion on Notice to be filed upon the grant of leave as sought in this application.
- (5) **AN ORDER** for substituted service of all processes in this suit on the 7<sup>th</sup> respondent(s) by pasting same at Plot 313, Cadastral Zone A09, Guzape, Abuja.
- (6) This Ex-parte order is to last for 7 days
- (7) The orders is to also last pending the hearing and determination of the Motion on Notice – M/1433/2024.
- (8) Hearing of the Motion on Notice is now fixed for 30/10/2024 by 12:00 noon.

.....

**S. B. Belgore**

(Judge) 24-10-2024