

IN THE HIGH COURT OF JUSTICE OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT MAITAMA - ABUJA

BEFORE HIS LORDSHIP: HON. JUSTICE .H. MU'AZU

SUIT NO. FCT/HC/GAR/CV/576/2024
MOTION NO. FCT/HC/GAR/M/533/2025
DELIVERED ON: 19/03/2025

BETWEEN:

- 1. AUSPOINT LIMITED
 - 2. LADI SA'AKULU NIG. LIMITED
- }.....CLAIMANTS/APPLICANTS

AND

- 1. FEDERAL CAPITAL DEVELOPMENT AUTHORITY (FCDA)
 - 2. THE HONOURABLE MINISTER, FCT
 - 3. ABDEK ENGINEERING COMPANY LIMITED
 - 4. AHMED ABDULRAHAMAN
 - 5. ADEKIN UANZEKIN
 - 6. ASSET MANAGEMENT CORPORATION OF NIGERIA (AMCON)
- }...DEFENDANTS/
RESPONDENTS

Appearance:

P.A. Nweke for the Claimants/Applicants.

RULING

By a Motion Exparte, the Claimants/Applicants are praying this Court for 3 Interim Injunctive reliefs as on the face of the Motion paper, i.e.

- 1. **An Order** of Interim Injunction restraining the Defendants/Respondents by themselves, their servants, agents, privies and/or workmen from further encroaching,

trespassing, disposing, taking over or dealing on the Claimants/Applicant's land situate and known as Plot No. 754, Cadastral Zone C16, Industrial Area 1 and Extension, Abuja, Federal Capital Territory measuring about 1.11Ha by selling, transferring, excavating, building or otherwise interfering with the title and possession of the said land in any form or manner pending the hearing and determination of the Motion for Interlocutory Injunction in this Suit.

2. An Order of Interim Injunction restraining the Defendants/Respondents by themselves, their servant, agent, privies and/or workmen from giving effect to, enforcing or levying execution against Claimants/Applicant's land situate and known as Plot No. 754, Cadastral Zone C16, Industrial Area 1 and Extension, Abuja, Federal Capital Territory measuring about 1.11 Ha pursuant to the Judgment of Honourable Justice I.E. Ekwo Federal High Court, Abuja delivered on the 2nd day of December, 2022.
3. An Order of Interim Injunction restraining the Defendants/ Respondents by themselves, their servant, agent, privies and/or workmen from giving effect to, enforcing or levying execution against Claimants/Applicant's land situate and known as Plot No. 754, Cadastral Zone C16, Industrial Area 1 and Extension, Abuja, Federal Capital Territory measuring

about 1.11 Ha pursuant to the Writ of Attachment issued by the Federal High Court Abuja.

In support of the application, the Applicants filed an Affidavit of Ugochukwu Anamelechi Nkwocha, the Chief Executive Officer (CEO) of the 1st Claimant. It is the averment of the Claimants/Applicants that an Order of the Federal High Court was fraudulently obtain to attached the property described as Plot No. 754 Cadastral Zone C16 of Idu Industrial District measuring approximately 20000^{Sqm} with file **No. MISC 85711**. And that the Court of Appeal wrongly attached the Claimants/Applicants property which Plot 754, Cadastral Zone C16 Industrial Area 1 and extension, Abuja FCT measuring 1.11 Hectare with file **No. MISC 129461**. Counsel urged the Court to grant the Application in the interest of justice.

I have carefully considered the averments in the affidavit in support and the argument canvassed by Counsel. I am inclined to refuse the application and Order that, the Motion on Notice and the originating process in this Suit are served on the Defendants. The Motion on Notice will be heard on the Thursday, 27th March, 2025 for hearing of Application.

SIGNED
HON. JUDGE
19/03/2025