

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT JABI-ABUJA**

SUIT NO: CV/397/2022

BEFORE HIS LORDSHIP: HON. JUSTICE BABANGIDA HASSAN

BETWEEN:

1. MUSTARD SEED ASSOCIATES }CLAIMANTS/
2. MUSTARD SEED ASSOCIATES LIMITED } RESPONDENTS

AND

1. THE HON. MINISTER, FEDERAL CAPITAL TERRITORY }DEFENDANTS/
2. FEDERAL CAPITAL DEVELOPMENT AUTHORITY } APPLICANTS

3. OLUFEMI EMMANUEL AKINLAWON (Trading under the
name and style of Mustard seed Associates)
4. ECONOMIC AND FINANCIAL CRIME COMMISSION
5. DIRECTOR-GENERAL, STATE SECURITY SERVICE
6. NIGERIA POLICE FORCE
7. INSPECTOR GENERAL OF POLICE
8. COMMISSIONER OF POLICE, FEDERAL CAPITAL TERRITORY } ...DEFENDANTS/
RESPONDENTS

RULING

The 5th defendant/applicant filed this notice of preliminary objection for improperly joining him as a party and or misjoinder of party in this suit and the notice of preliminary objection with No. M/14294/2023, and this has been served on all the parties.

There is no response from any of the parties inspite of the fact that the service has been effected only that the counsel to the 1st and 2nd defendant responded before the court that he does not have any objection.

The counsel to the applicant only accompanied the notice of preliminary objection with a written submission,

and it is the law that when a party makes submission before a court, and the other party refuses or neglects to respond to the submission, the defaulting party is deemed to have admitted to what was submitted as true and the court has to act upon the submission.

It is on this principle that I am convinced that the name of the 5th defendant has to be struck out, and it is hereby struck out of the suit.

Hon. Judge
Signed
11/3/2025

The court resumes sitting with the same membership. Parties are absent.

E.J. Agbebaaku Esq appeared for the claimant.

CC-CT: It appears no other counsel are in court.

We will be asking for a date.

CT: The matter is adjourned to 20th day of May, 2025 for hearing. Hearing notices be served upon the remaining defendants accordingly.

Hon. Judge
Signed
11/3/2025