

IN THE FEDERAL HIGH COURT OF NIGERIA  
IN THE ABUJA JUDICIAL DIVISION  
HOLDEN AT ABUJA

SUIT NO: FHC/ABJ/CS/625/19

BETWEEN

1. MAJOR SANNI ALUBARIKA
  2. DR. JULIUS ODEYALE
  3. PROFESSOR EMMA AGHARARIO
  4. SURV. OSAZE OSAKWE
  5. BARR. GEORGE ITA-BASSEY
  6. AMB. OJUKWU EMEKA
- } APPLICANTS/RESPONDENTS

AND

1. THE ATTORNEY GENERAL OF THE FEDERATION
  2. THE PRESIDENT OF NIGERIAN
  3. FEDERAL REPUBLIC OF NIGERIA
  4. ACCOUNTANT GENERAL OF THE FEDERATION
- RESPONDENTS/APPLICANTS

NOTICE OF PRELIMINARY OBJECTION

BROUGHT PURSUANT TO RULES 9, 10(1), (2) AND (3) OF THE LEGAL PRACTITIONERS RULES OF PROFESSIONAL CONDUCT, 2007; SECTIONS 2(1) AND 24 OF THE LEGAL PRACTITIONERS ACT, CAP 207, LFN 2004 AND UNDER THE INHERENT JURISDICTION OF THE HONOURABLE COURT

TAKE NOTICE that the Honourable Court will be moved on the \_\_\_\_\_ day of \_\_\_\_\_ 2017 at the hour of 9 O'clock in the forenoon or so soon thereafter as Counsel for the Respondents may be heard on behalf of the Respondents for the following Orders:

1. **AN ORDER** setting aside the service of the Applicants/Respondents Originating Summons filed by it and served on the Respondent/Applicant in this suit.
2. **AN ORDER** striking out and/or dismissing this entire suit for want of Jurisdiction.
3. **AND FOR SUCH FURTHER OR OTHER ORDERS** as this Honourable Court may deem fit to make in the circumstance.

## GROUNDS FOR THE APPLICATION

The Grounds upon which the Respondents/Applicants are making this application are:

- i. The Originating Summons is incompetent as it does not comply with the provisions of Rules 9 and 10 of the Legal Practitioners Rules of Professional Conduct, 2007 relating to the affixing of the seal and stamp of a Legal Practitioner on legal documents prepared by him.
- ii. This Honourable Court lacks jurisdiction to entertain this suit and the Court should decline jurisdiction.
- iii. It is in the interest of justice for this Honourable Court to decline or refuse jurisdiction and thereby grant this application.

**DATED THIS 19<sup>TH</sup> DAY OF OCTOBER, 2020**

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*OLUWASEGUN ODUNSI ESQ, LL.M.  
AGBEJULE OWOYEMI ESQ  
OMOLOLA IFEOLUWA ESQ  
Applicants' Counsel  
KINGY'S ATTORNEYS  
LEGAL PRACTITIONERS,  
SUITE 16, AMA-BEC PLAZA  
OFF ADDOH ROAD,  
LEKKI-AJAH, LAGOS.*

### FOR SERVICE ON:

Counsel to the 1 - 4 Defendants/Respondents  
Director of Civil Litigation  
Office of the Attorney General  
Federal Ministry of Justice,  
Three arm zone, Abuja