

IN THE HIGH COURT OF EBONYI STATE OF NIGERIA
IN THE HIGH COURT OF ABAKALIKI JUDICIAL DIVISION
HOLDEN AT ABAKALIKI
BEFORE HIS LORDSHIP, HON. JUSTICE H. A. NJOKU – J.
ON THURSDAY THE 10TH DAY OF MARCH, 2022.

SUIT NO, HAB/13/2022

MOTION NO: HAB/135M/2022

BETWEEN:

- 1. SENATOR SONI OGBUOJI
- 2. JUSTIN MBAM OGODO
- 3. ALL PROGRESSIVE CONGRESS

}

..... PLAINTIFFS/RESPONDENTS

AND

- 1. ENGR. DAVID NWEZE UMAHI
- 2. DR. ERIC KELECHI IGWE

}

..... DEFENDANTS/APPLICANTS

COURT ORDER

Upon this Motion Ex-parte dated and filed on 9th March, 2022, and brought pursuant to Order 39 Rule 3(3) of the High Court Rules of Ebonyi State, 2008, and under the inherent jurisdiction of this Honourable Court, coming before **HIS LORDSHIP HON. JUSTICE H. A. NJOKU** on the 10TH day of March, 2022 praying the court as follows:

- 1. An interim Order of this Honourable Court for seven days (subject to renewal) that in view of its judgment in Suit No, HAB/13/2022 delivered on the 28th day of February, 2022 being a judgment in rem and having precedence over any subsequent contrary judgment, the Applicants hereto, ENGR, DAVID NWEZE UMAHI and DR. ERIC KELECHI IGWE, shall remain and not be removed from office as governor and deputy governor of Ebonyi State, respectively.



2. And for further order or other orders as the Honourable Court may deem fit to make in the circumstances

And the court after reading this motion made ex-parte and the reliefs sought thereto as well as the 11 (eleven) paragraph affidavit evidence of Amarachi Alo, the Litigation Secretary in the Law Office of Roy & Associate of No. 7 Awgu Street, Abakaliki;

And having also read the written submissions of counsel to the Applicant in support of the Motion ex-parte particularly the issue for determination which is whether this application ought to be granted in the interest of justice, and the documents annexed thereto as Exhibit 1 and 2 respectively;

And after hearing Roy O. U. Nwaeze Esq, Counsel to the defendants/applicants move the motion ex-parte.

IT IS HEREBY ORDERED AS FOLLOWS:

1. An interim order of this Honourable Court for seven days (7 days) (subject to renewal) is hereby granted, in view of its judgment in Suit No. HAB/13/2022 delivered on 28th day of February, 2022, being a judgment in rem, and having precedence over any subsequent contrary judgment. The Applicants hereto, Engr. David Nweze Umahi and Dr. Eric Kelechi Igwe shall accordingly remain and not be removed from office as governor and deputy governor of Ebonyi State respectively.
2. This Suit is hereby adjourned to 16/3/2022 for the hearing of the motion on notice.

ISSUED AT ABAKALIKI , UNDER THE SEAL OF COURT AND THE HAND OF THE PRESIDING JUDGE, THIS THURSDAY 10TH DAY OF MARCH, 2022.



HON. JUSTICE H. A. NJOKU

JUDGE

Handwritten: Certification of 209 R 100 = 25250
Ad on ch 12
0107248
10/3/2022

CERTIFIED TRUE COPY
Enyinnao K. Olob
Date: 10/3/2022

E. N. OBOH ESQ.
ASST. DIRECTOR.