

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE KANO JUDICIAL DIVISION
HOLDEN AT KANO
ON THURSDAY THE 23RD OF MAY, 2024
BEFORE HIS LORDSHIP HON. JUSTICE A. M. LIMAN

BETWEEN:
ALHAJI AMINU BABBA DAN AGUNDI
(SARKIN DAWAKI BABBA)

SUIT NO: FHC/KN/CS/182/2024

PLAINTIFF

AND

1. KANO STATE GOVERNMENT
2. KANO STATE HOUSE OF ASSEMBLY
3. THE SPEAKER, KANO STATE HOUSE OF ASSEMBLY
4. ATTORNEY GENERAL OF KANO STATE
5. COMMISSIONER OF POLICE, KANO STATE
6. INSPECTOR GENERAL OF POLICE
7. NIGERIA SECURITY AND CIVIL DEFENCE CORPS
8. DEPARTMENT OF STATE SECURITY (D.S.S.)

DEFENDANTS

ORDER

UPON THIS MOTION EX-PARTE dated and filed on the 23rd day of May, 2024 coming before the Court and praying as follows:

1. AN ORDER of this Honourable Court granting the Plaintiff/Applicant leave to issue and serve their Concurrent Originating Motion as well as all other court processes on the 6th Defendant in FCT Abuja and outside the jurisdiction of this Honourable Court.
2. AN ORDER of this Honourable Court marking the Plaintiff/Applicant's Concurrent Originating Motion as well as all other court processes to be served on the 6th Defendant in FCT Abuja and outside the



IBRAHIM ABUSALCAN
Principal Executive
Officer

jurisdiction of this Honourable Court.

3. **AN ORDER of INTERIM INJUNCTION** of this Honourable Court suspending, not giving effect to, not implementing the operation of the Kano State Emirate Council (Repeal) Law, 2024 (1445 A.H.), as they affect all offices and institutions of the Emirate Council created pursuant to the provisions of the Kano State Emirate Council Law, 2019 (1441 A.H.).
4. **AN ORDER of INTERIM INJUNCTION** of this Honourable Court restraining the 5th - 8th Respondents from enforcing, executing, implementing and operationalizing the Kano State Emirate Council (Repeal) Law, 2024 (1445 A.H.).
5. In the alternative to relief 3 above, **AN ORDER OF INTERIM INJUNCTION** of this Honourable Court for the maintenance and preservation of the subject matter and or the preservation of the *status quo* by all the parties to this suit, pending the hearing and determination of the Plaintiff/Applicant's Originating Motion before this Honourable Court as well as **AN ORDER** of accelerated hearing of this matter.
6. The 5th, 6th, 7th and 8th respondents are hereby directed to ensure and maintain the peace and security in the state pending the determination of this application
7. **AN ORDER OF INTERIM INJUNCTION** of this Honourable Court granting leave to the Plaintiff/Applicant to



GATHIM ABUBAKAR
Principal Executive
Officer

serve the 1st - 4th Defendants with the Plaintiff/Applicant's Originating Motion and all other court processes through the 4th Defendant as well as deeming such service as proper service on them.

8. And for such other and further Order(s) as this Honourable Court may deem fit to make in the circumstance.

UPON READING through the Affidavit in Support of Plaintiff's Motion deposed to by Halimat AbdulGaniyyu, Adult, Female, Muslim, Nigerian Citizen of No. 37, Niger Street/Murtala Mohammed Way, Kano and filed at this Court Registry.

AND AFTER HEARING the submissions of Ibrahim Aliyu Nassarawa, Esq, Learned Counsel for the Plaintiff/Applicant, who moved in terms of the Motion paper.

AND THE COURT after careful consideration of the application and submissions of Counsel.

IT IS HEREBY ORDERED AS FOLLOWS:

1. That leave is granted to the Plaintiff/Applicant to issue and serve their Concurrent Originating Motion as well as all other court processes on the 6th Defendant in FCT Abuja and outside the jurisdiction of this Honourable Court.
2. That an Order of this Honourable Court marking the Plaintiff/ Applicant's Concurrent Originating Motion as well

HON JUSTICE A. M. LIMAN
PRESIDING JUDGE



IBRAHIM ABUBAKAR
REGISTRAR EXECUTIVE OFFICER

as all other court processes to be served on the 6th Defendant in FCT Abuja and outside the jurisdiction of this Honourable Court is granted.

That parties are hereby ordered to maintain status quo ante the passage and assent of the bill into pending the hearing of the Fundamental Rights application.

3. That in view of the Constitutional and Jurisdictional issues apparent on the face of the application, parties shall address the Court on same at the hearing of the Fundamental Rights application which is fixed for the 3rd of June, 2024.
4. That in Order to maintain the peace and security of the state, an Interim Injunction of this Honourable Court is granted restraining the 5th - 8th Respondents from enforcing, executing, implementing and operationalizing the Kano State Emirate Council (Repeal) Law.
5. That parties are hereby ordered to maintain status quo ante the passage and assent of the bill into pending the hearing of the Fundamental Rights application.
6. That this case is adjourned to 3rd day of June, 2024, for hearing of the Fundamental Rights application.

ISSUED AT KANO, UNDER THE seal of this Honourable Court and by the hands of the Presiding Judge this 23rd day of May, 2024.

US/ibrahim
USAMA IBRAHIM ISAH
REGISTRAR



IBRAHIM ADEUNSAIYAH
PRINCIPAL EXECUTIVE OFFICER