

IN THE HIGH COURT OF ENUGU STATE OF NIGERIA
IN THE ENUGU JUDICIAL DIVISION
HOLDEN AT ENUGU
BEFORE HIS LORDSHIP HON. JUSTICE I. A. UMEZULIKE, OFR, FCIArb.
CHIEF JUDGE OF ENUGU STATE
ON MONDAY THE 16TH DAY OF MAY, 2011

HI-TECH SEC. LTD

SUIT NO. E/394/2010

--- PLAINTIFF

AND

U.N.T.H

--- DEFENDANT

Parties: Present except the defendant

Appearances: Chuma Oguejiofor for the plaintiff, E. Onyibor, H. Emerelo, N. Otakagu (Mrs.), N. Aro, O. Agbazue and U. Eli with him in the brief. J. O. N. Ikeyi for the defendant/applicant.

Court: J. O. N. Ikeyi, I call upon you to conclude your argument on point of law in the substantive suit.

Ikeyi: Says he has a motion before the court dated 9th May, 2011 in which he asks for disqualification of this court. Says that motion takes care of and precedence over all other proceedings in this case. Says he cannot be appropriating and reprobating in this court. Urges that he be allowed to take his motion.

Oguejiofor says all the defence wants to achieve is to filibuster and delay the case. Says the case was instituted since 2010. This application never came up. Says the facts which ground the application took place more than one year before his application. Says the defendant has been indulged too much. Says he has not filed a defence and he has no right of reply.

J. O. N. Ikeyi jumps up in court and disrupts the proceedings in this court, shouting and refused to sit down when so order by the court.

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Court: Mr. J. O. N. Ikeyi, can you explain why you should not be committed to prison for disrupting the proceedings in court with your unruly behaviour and contumaciously shouting to the court. This is utterly an unethical and unprofessional behaviour of the greatest proportion sounding in contempt of this court.

J. O. N. Ikeyi: Says he did shout at the court. Says what he did was to react to abnormal impression of his colleague at the Bar. Says he stood up and Oguejiofor ought to have sat down. Says Oguejiofor refused to sit down. Says it is in the interest of his client to protect his client's case at the Bar.

Court: I have carefully examined the response of J. O. N. Ikeyi to the question put to him. I have observed that there is no iota of remorse in what he has done before the Bench, the Bar and the grand stand. The Bench deserves the respect of the Bar, and vice versa. Mr. Ikeyi has behaved in such a manner that his fitness at the Bar calls for serious questioning. If the court is allowed to be reduced the way J. O. N. Ikeyi has done today, then we shall begin to announce the obituary of the awe-inspiring court system in this country. For these reasons and for the unrepentant insult and contempt in the face of this court, I hereby find you guilty of gross and unprecedented assault, contempt and disrespect in the face of the court and I accordingly sentence you to prison until you purge yourself.

Mr. J. O. N. Ikeyi: Now apologises to the court and says he is sorry for his misconduct in court today.

Enechi Onyia, OON, SAN: Says the accused J. O. N. Ikeyi has apologised. Says on behalf of the bar, he asks the court to discharge J. O. N. Ikeyi.

Mrs. Onaga, the Solicitor-General: Says on behalf of the official Bar, she

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associates herself with what Enechi Onyia has said and adopts same.
Oguejiofor: Says the accused J. O. N. Ikeyi should be pardoned for his misconduct.

Mrs. Ugbene: Says the iron should not be descended. Urges the court to forgive the accused, J. O. N. Ikeyi. Says she cannot pretend that nothing happened in court today.

Court: I have listened to the touching allocuti put forward by Chief Enechi Onyia, OON, SAN in which he urged forgiveness for the errant counsel. I also take into consideration the similar sentiments shared by distinguished members of the official and private Bar, including the Solicitor-General of Enugu State, Mrs. Onaga and Chuma Oguejiofor and Mrs. Ugbene-Mgbachi. I must admit that it is with utmost reluctance that I heed the contentions of members of the official and private Bar that the judicial hammer be not descended on the errant counsel, J. O. N. Ikeyi.

It results, therefore, that my earlier pronouncement of conviction is hereby remanded and reluctantly, Mr. J. O. N. Ikeyi is discharged.

Court: The case is adjourned to 16/6/11 for further arguments.

Sgd.

I. A. Umezulike, OFR, FCI Arb.

Chief Judge

16/5/11

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