

CHIEF CHRIS UCHE (SAN) & CO

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3rd November 2021

The Hon. Chief Judge of the Federal High Court,
Honourable Chief Judge's Chambers,
Federal High Court Headquarters,
Shehu Shagari Way,
Maitama,
Abuja.

My Lord,

**RE: JUDGMENT IN SUIT NO. FHC/AB/CS/648/2021
CHIEF (DR) GEORGE MOGHALU VS. APC & 2 ORS**

We write as Counsel to the Plaintiff in the above-named suit, pending before Federal High Court No. 6, Abuja, and we write on his instructions and on his behalf.

We refer to a letter dated 2nd November 2021 in respect of the above subject matter written to your noble Lordship by the 3rd Defendant in the suit, Senator Andy Uba through his Counsel, Mahmud Abubakar Magagi, SAN requesting your Lordship to change the date fixed for delivery of judgment by the learned trial Judge.

My Lord, with profound respect, the request in the said letter is both strange and procedurally irregular, as well as lacking any foundation in law or in the Rules of the Federal High Court. We have rummaged the entire Federal High Court Act and the Federal High Court (Civil Procedure) Rules, and were unable to locate any basis for such application to stop a Judge of this Court from delivering judgment or adjourning the judgment in respect of which hearing notices have already been issued by the Court and served on parties.

Factually too, we need to correct the misrepresentation that the matter was adjourned for judgment to 20th December 2021, *simpliciter*. As we believe the electronically recorded proceedings of the Court will bear out, His Lordship on adjourning the case, stated

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I. S. Nwachukwu Esq. LLB, BL; Chukwudi Maduka Esq. LLB, BL; Frank Molokwu Esq. LLB, BL; Emmanuel Okorie Esq., LLB, BL, LLM;

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that the Court will get the judgment delivered as early as possible on a date to be communicated to the parties, but if it is not ready before 6th November 2021, then it will be delivered on 20th December 2021.

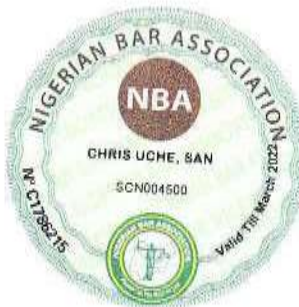
We may not understand the motive behind the letter and the request contained therein, but we make bold to say that it is worrisome when a party to litigation engages in an act which smacks of interference with the due administration of justice.

If they were truly concerned about insecurity and serious breach of peace as claimed in the letter, the Independent National Electoral Commission ought to have been approached, pursuant to section 26 of the Electoral Act 2010, for the postponement of the election itself.

We therefore urge your Lordship to discountenance the request in the circumstances.

Yours faithfully,

Chief Chris Uche, SAN, FCARB.,
(Plaintiff's Lead Counsel).



Copies to:

The 3rd Defendant:

c/o His Counsel,
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3. The 2nd Defendant:

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2. The 1st Defendant:

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