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14<sup>th</sup> September, 2023

The Hon. Attorney-General of the Federation & Minister for Justice.

Federal Ministry of Justice

Head Office, Abuja.



Hon. Attorney General of the Federation,

**Re. SUIT NO: FCT/11C/CV/2634/2021**

### BETWEEN:

1. AHMED SULEIMAN
2. MICHEAL UWALAKU
3. ADELEKE S. OLUWATOYIN
4. RUFICLIS INVESTMENT LTD
5. GRACE BOIVIIMA BENSON (all Suing for themselves and as the representatives of the other 434 tenants/ occupants of the shops in the Area 7 Shopping Complex, Garki, Abuja).

CLAIMANTS/  
APPLICANTS

### AND

1. HON. MINISTER OF THE FEDERAL CAPITAL TERRITORY
2. FEDERAL CAPITAL DEVELOPMENT AUTHORITY
3. ABUJA MARKETS MANAGEMENT LIMITED
4. ABUJA INVESTMENT COMPANY LIMITED

DEFENDANTS/  
RESPONDENT

5. **URBAN SHELTER LIMITED**
6. **INSPECTOR GENERAL OF POLICE.**
7. **OBINNA OKOLIE**

**THE INSPECTOR – GENERAL OF POLICE IN BLATANT DISOBEDIENCE TO THE FCT HIGH COURT ORDERS MADE ON 1<sup>ST</sup> DECEMBER 2021 & 24<sup>TH</sup> AUGUST 2023.**

**NEED FOR YOUR OFFICE TO STEM THE UGLY TIDE**

**&**

**ENSURE THAT THE INSPECTOR-GENERAL OF POLICE ENFORCES THESE COURT ORDERS.**

As you resume Office, we pray God to guide and guard you. More importantly may your person as the Hon. Attorney-General of the Federation and Minister of Justice bring a complete and comprehensive new phase in the enthronement of the Rule of Law and obedience to Court Orders in our Country.

Certainly, no nation or society can enjoy safety, progress and stability where Rule of Law is replaced with *whim and caprices of the "Mighty"* and Court Orders are disdained, disobeyed and rubbished. In fact our Courts have decried these aberrations:

'2 In *HART v. HART(1990) LPELR-1354(SC)*, the Supreme Court of Nigeria adopted as follows:

**"To allow court orders to be disobeyed would be to tread the road toward anarchy. If orders of the court can be treated with disrespect, the whole administration of justice is brought into scorn... If the remedies that the courts grant to correct wrongs can be ignored, then there will be nothing left for each person but to take the law into his own hands.**

**Loss of respect for the courts will quickly result into the destruction of our society." (Pp 18 - 19 Paras G - B)**

Then in **APC & ORS v. KARFI & ORS (2017) LPELR-47024(SC)**, same Supreme Court stamped it's leg as follows:

**"....Every decision, including orders of a Court of law subsists and remains binding on the parties until set aside by a Court of competent jurisdiction. It does not lie in the discretion of the party against whom the decision or judgment, including injunctive orders therein, are made to disregard the orders merely because, in his wisdom, he thinks that the orders are invalid and not binding on him. Our jurisprudence will not brook of such treachery that leads only to anarchy".**

Finally in **BABATUNDE & ORS vs. OLATUNJI & ANOR (2000) LPELR-697 (SC)** our Supreme Court had this to say on this nasty phenomena by some of our public officers:

**"Matters appertaining to judicial orders or judgments, for that matter are not generally treated with arrogance or levity. Speaking for myself, it is rather officious and treading on perilous path for one to arrogate to oneself the right to choose and pick between Court orders in terms of whether they are valid or null and void.**

The Hon. Attorney-General of the Federation, we have gone all these lengths because of the pathetic developments arising in the above Suit where the Police have decided to refuse to enforce Court Orders instead took steps to disobey same just to protect the unbridled, illegal and selfish interest of a private concern.

On 25<sup>th</sup> May 2023, we delivered to your Office our letter dated 25<sup>th</sup> May, 2023 with caption: **"WANTON DISOBEDIENCE OF COURT ORDER AND BRAZEN IMPUNITY PERPETUATED AGAINST THE OVER 1000 TRADERS AT THE AREA 7 SKOPPING COMPLEX GARKI ABUJA BY THE NIGERIA POLICE"**.

In the 2<sup>nd</sup> to 6<sup>th</sup> and 9<sup>th</sup> Paragraphs of page 2 of the letter, we stated as follows:

***“In the face of this illegality, our clients instituted Suit No. FCT/HC/CV/2634/2021, against the Hon Minister of the FCT and 6 Ors including the private Company and the Nigerian Police”.***

***“The Hon Court following the plaintive facts of the case, made an Order dated 1st December, 2021 for all parties to maintain status quo”, see Order attached.***

***“The said Company disdainfully disobeyed this Order of the Hon Court leading to the Claimants to cite the Company, its directors and other culprits for contempt of Court”.***

***“While the Suit is pending, this private Company and its directors have multiplied their efforts aimed at undermining the authority of the Court by taking laws into their own hands. This includes dragging our clients to the State Security Service, and the Nigerian Police”.***

***“In fact, the Company on the 4th April, 2023 ferried in over 30 armed thugs dressed in fake Police Uniforms to the Area 7 Shopping Complex in the wee hours of the night with the illegal and ulterior motive of demolishing the Complex”.***

***As we write, this private Company is currently finalizing plans to (at the odd midnight hours) demolish our clients' shops at the Area 7 Shopping Complex (with goods worth over N4billion). This is, with the backings of the Police.....”, see attached Court Order dated 1<sup>st</sup> December, 2021.***

Finally in page 5 of the letter we requested your good Office as follows:

***“In the face of the above case laws, it is therefore our duty as ministers in the temple of justice to bring to your kind attention as the Chief Law Officer of the Federation, this brazen impunity that is capable of sabotaging the rule of law and sanctity of court Orders. Any demolition***

***at this point in time will cause public uproar and tension leading to overheating the polity”.***

***“In view of the above, we respectfully request your good Office to weigh into this matter by writing the Nigerian Police (Zone 7 Police Command, Wuse) to respect the rule of law by obeying the Order of Court and forthwith cease to provide official cover to the private Company which is perpetuating the charade, impunity and disobedience to Court Orders. Please direct the Police to put on hold any ongoing .... orchestrated for purposes of the demolition of their shops with their merchandize worth over N4Billion”, see attached Letter.***

Earlier on 28th April 2023, we delivered our letter dated same 28th April, 2023 to the Inspector-General of Police wherein in page 4 we stated:

***“This it is wrong for the Nigerian Police Force to lead itself as a tool for disobedience of Court Orders and manipulation by selfish person's”, see attached.***

Finally, we also on 23rd May 2023, delivered to the Assistant Inspector-General of Police, Zone 7, our letter dated same 23 May, 2023 wherein we stated as follows:

***“.....Sequel to our letter to your Office dated 17th May, 2023 concerning the plight of our clients on the ongoing impunity being perpetuated by Urban Shelter Ltd at the Area 7 Shopping Complex, Garki, with the curious cover provided by your Command, we found the following authorities relevant to guide your against actions.***

***Meanwhile, the idea of the Nigeria Police picking & choosing which Court Order to obey is passport to lawlessness and primitive impunity”. All are herein attached.***

Hon. Attorney – General of the Federation, it is curious that despite all these, the Assistant Inspector-General of Police with his Officers and Men provided protection enabling Urban Shelter to (on 3rd June 2023) pull down the entire over one thousand shops of the claimants in total disdain of the Court Order made on 1st December, 2021 as well as while the Suit is still pending. Merchandise worth over 4billion Naira were destroyed without Notice to the owners.

In fact, three days earlier, the claimants were notified by the conspirators to pay their annual rent and service charge which hundreds complied immediately only for their shops to be demolished the next day. ***This is an outrageous demolition that is said to have taken more than Elven (11) lives*** yet they want to go on as if nothing happened. Hon. Attorney – General of the Federation, please can the solemn source of living of a human being with family responsibilities be treated with such slave inhumanity mentally?

Now to rob salt into the injuries of the Claimants, Urban Shelter in conspiracy with Nigerian Police have started their illegal construction of their business interest in the site of that very Area 7 Shopping Complex illegally demolished against the subsisting Court Order.

The distraught Claimants have again approached the FCT High Court and same has ordered the recaltrant defendants to stop the illegal actions forthwith.

These are the words of the respected jurist, ***(His Lordship, Hon. Justice O. I. Adelaja)*** at page 7 of the Ruling delivered on 24<sup>th</sup> August, 2023:

***“The Claimants/Applicants did not waste time in commencing legal action to stop the Defendants/Respondents from trespassing and abusing their rights in the shops wherein they were lawful tenants. The Applicant went to Court as soon as the menace appeared, the facts before this Court is that a High Court of this Jurisdiction granted the Order for maintenance of status quo ante bellum but the Respondents particularly the 5<sup>th</sup> Respondent has been in waton and flagrant disobedience of the authority of the Court. The law and the Courts frown***

***at such disobedience as same can only lead the country into a state of anarchy”.***

In page 8 the Hon. Court ordered as follows

.....

***“2. AN ORDER of interim injunction is granted by this Court restraining Defendants/Respondents more particularly, 5<sup>th</sup> Defendant/Respondent either by itself or agents, privies, assigns, or howsoever described from carrying on any or further construction work and or doing anything howsoever in the furtherance of its planned remodeling of the Area 7 shopping Complex, Garki, Abuja pending the hearing and final determination of the Motion on notice”.***

.....

***“4 All the Respondents, the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> 6<sup>th</sup> and 7<sup>th</sup> Defendants/Respondents are ordered to in the overall interest of the society maintain peace, law and Order in their relationship pending when the Court or the parties will resolve the issues between them”, see attached Ruling and the attendant enrolled Order.***

We have served the Court Orders to all the Defendants, see attached certified true copies of the proof of service and Affidavit of Services.

Yet as usual the Defendants including the Inspector-General of Police are currently disobeying the Court Order. Police has failed and refused to enforce these Court Orders

Considering your pronounced disposition to upholding the principle of Rule of Law and the sanctity of Court Orders, we believe your good Office would not allow this ongoing anarchy and disobedience to Court orders to continue.

We therefore request you to instruct the Inspector-General of Police to move in the officers of the Nigeria Police to stop the defendants from going on with the illegal Construction at the Area 7 Shopping Complex. That is the Court Orders as attached.

Kindly accept assurances of our highest regards.

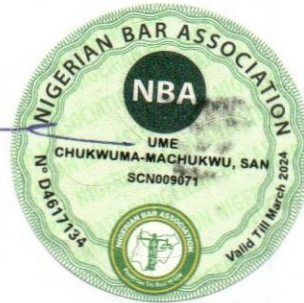
Yours Faithfully,

***chukwuma-machukwu ume, SAN & co***

(Firm of Lawyers, Arbitrators, Notary Public , Trade Mark Agents & Pro bono Advocates)



Chukwuma – Machukwu Ume, SAN, FCI Arb.  
Head, Advisory Centre of the Firm



- Att:
1. Letter dated 25<sup>th</sup> May 2023
  2. Letter dated 28<sup>th</sup> April, 2023
  3. Letter dated 23<sup>rd</sup> May, 2023
  4. Ruling and the attendant enrolled Order
  5. Proof of service of Court Order and Affidavit of Service