

ANNEXURE "G" & F
IN THE HIGH COURT OF JUSTICE; DELTA STATE OF NIGERIA
IN THE OREROKPE JUDICIAL DIVISION
HOLDEN AT OREROKPE

BETWEEN:

SUIT NO. HOR/FHR/8/2022

MR. VICTORIA UTAH

... APPLICANT

AND

- 1. MR. VICTORY NANAKPARO**
- 2. MR. OKERIETE ARURUJE**
- 3. SATURDAY AKEMU**
- 4. UVWIE EJENEYE**
- 5. ENDURANCE UMUKORO**
- 6. OSOLOBRUWE OGHENETEGA OKOWAN**
- 7. NATH OMOKURU**
- 8. SUPREME ADAM**
- 9. NICHOLAS OMASHEMIGBE**
- 10. JERRY UFUOMA**
- 11. EFE POWER**
- 12. GIFT OVIE**
- 13. AKWABA EMMANUEL**
- 14. CP. ARI MOHAMMED ALI**
*(THE COMMISSIONER OF POLICE
DELTA STATE POLICE COMMAND)*
- 15. CSP. BULKS MUSA**
(DPO, EKPAN POLICE STATION)
- 16. ATTORNEY GENERAL AND
COMMISSIONER OF JUSTICE,
DELTA STATE**

RESPONDENTS

ENROLMENT OF ORDER

Upon a Motion Exparte filed unto Court to wit:-

- "1. A DECLARATION THAT THE CONTINUOUS INTIMIDATION, HARASSMENT, THREATENING AND SUBJECTING OF THE APPLICANT TO INHUMAN AND DEGRADING TREATMENT BY THE 1ST – 13TH RESPONDENTS IS UNCONSTITUTIONAL, ILLEGAL, OPPRESSIVE AND VIOLATES THE APPLICANT'S FUNDAMENTAL RIGHTS AS ENSHRINED UNDER SECTION 33, 34, 35, 38, 39, 40 AND 41 (1) OF THE 1999

CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (AS AMENDED) AND THEREFORE UNCONSTITUTIONAL, UNLAWFUL, NULL AND VOID.

2. A DECLARATION THAT THE PUBLIC WHIPPING, BEATING, HUMILIATION AND/OR TEARING OF THE APPLICANT'S CLOTHES AND POURING WATER FROM THE GUTTER ON HER BODY AT THE FRONT OF HER SHOP AT NO. 11 IDUMULO STREET, EKPAN IN FULL GLARE OF THE PUBLIC CONSTITUTES A VIOLATION OF THE APPLICANT'S RIGHT TO DIGNITY OF HER PERSON AS GUARANTEED UNDER SECTION 34 OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (AS AMENDED).
3. A DECLARATION THAT AS AN INDIGENE OF EKPAN COMMUNITY OF DELTA STATE OF NIGERIA, THE APPLICANT IS ENTITLED TO ENJOY ALL LEGAL RIGHTS, FREEDOMS AND PRIVILEGES ENJOYED BY AND/OR AVAILABLE FOR THE ENJOYMENT OF ALL AN EVERY OTHER CITIZEN OF EKPAN COMMUNITY UNDER THE LAWS OF NIGERIA.
4. A DECLARATION THAT THE 14TH - 15TH RESPONDENTS ACT OF REFUSING TO CARRY OUT HER CONSTITUTIONAL AND STATUTORY ROLE OF INVESTIGATING ALLEGATIONS OF CRIME MADE AGAINST THE 1ST - 13 RESPONDENTS IS UNLAWFUL AND UNCONSTITUTIONAL.
5. AN ORDER OF THIS HONOURABLE COURT DIRECTING THE 1ST TO 13TH RESPONDENTS WHETHER BY THEMSELVES AND/OR THEIR SERVANTS, OFFICERS, AGENTS AND/OR PRIVIES TO STOP FURTHER ACTS OF INTIMIDATING, HARASSING, THREATENING AND SUBJECTING THE APPLICANT TO INHUMAN AND DEGRADING TREATMENT WHICH ACT VIOLATES THE APPLICANT'S RIGHT TO PERSONAL LIBERTY, DIGNITY AND PEACEFUL ASSOCIATION AS ENSHRINED IN THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (AS AMENDED).
6. AN ORDER DIRECTING THE 14TH TO 15TH RESPONDENTS TO CARRY OUT ITS CONSTITUTIONAL AND STATUTORY

DUTY OF PREVENTING, DETECTING, PRESERVING LAW AND ORDER IN THE SOCIETY BY INVESTIGATING THE COMPLAINTS OF THE APPLICANT AGAINST THE 1ST - 12TH RESPONDENTS.

7. AN ORDER DIRECTING THE 15TH RESPONDENT TO INSTITUTE CRIMINAL PROCEEDINGS AGAINST THE 1ST - 13TH RESPONDENTS HAVING REGARD TO PUBLIC INTEREST AND THE INTEREST OF JUSTICE.
8. AN ORDER OF PERPETUAL INJUNCTION RESTRAINING THE 1ST - 13TH RESPONDENTS WHETHER BY THEMSELVES, THEIR AGENTS, SERVANTS, PRIVIES, OR WHOSOEVER CALLED FROM FURTHER INTIMIDATING, HARASSING, THREATENING AND SUBJECTING THE APPLICANT TO FURTHER INHUMAN AND DEGRADING TREATMENT JUST IN A BID TO STOP HER TO OPEN SHOP FOR NORMAL BUSINESS ACTIVITIES.
9. AN ORDER THAT THE GRANT OF THIS MOTION EXPARTE SHALL OPERATE AS A STAY OF FURTHER ACTS OF INTIMIDATION, HARASSMENT, THREAT AND SUBJECTING OF THE APPLICANT TO INHUMAN AND DEGRADING TREATMENT PENDING THE HEARING AND DETERMINATION OF THE MOTION ON NOTICE.
10. AN ORDER GRANTING LEAVE TO THE APPLICANT TO SERVE ALL PROCESSES MEANT FOR SERVICE ON THE 1ST - 13TH RESPONDENTS AND OTHER SUBSEQUENT PROCESS TO BE FILED BY SUBSTITUTED MEANS TO WIT: BY DELIVERING OF SAME TO AN ADULT PERSON AT THE EXPAN COMMUNITY YOUTH SECRETARIAT LOCATED AT THE EKPAN COMMUNITY TOWN HALL, AFIEKI QUARTERS, EKPAN, Uvwie LOCAL GOVERNMENT AREA OF DELTA STATE OF NIGERIA.
11. THE SUM OF ₦10,000,000.00 (TEN MILLION NAIRA) AS GENERAL, SPECIAL, EXEMPLARY AND/OR AGGRAVATED DAMAGES SUFFERING INFLICTED ON THE APPLICANT AS A RESULT OF THE UNLAWFUL AND/OR UNCONSTITUTIONAL ACTS OF THE RESPONDENTS.

Coming up for Hearing and Determination before His Lordship, Hon. Justice JOE EGWU, Judge on Tuesday the 1st day of February, 2022.

Case called, parties are absent.

Chief V.E. Otomiewo Esq. with S. Edekerie Esq. for the Applicant.

The Court having heard from the Applicant's Counsel, ordered as follows:-

"I have carefully and painstakingly considered reliefs No. 6, 9 & 10 contained in the Motion Exparte. The affidavit in support of the Motion Exparte and the Exhibit attached and the Written Address of the Applicant counsel, prayers 1, 2, 3, 4, 5, 7 and 11 is struck out, while prayers No. 6, 9 and 10 contained in the Motion Exparte dated 20/1/2022 and filed 21/1/2022 is hereby granted and ordered as prayed.


JUDGE

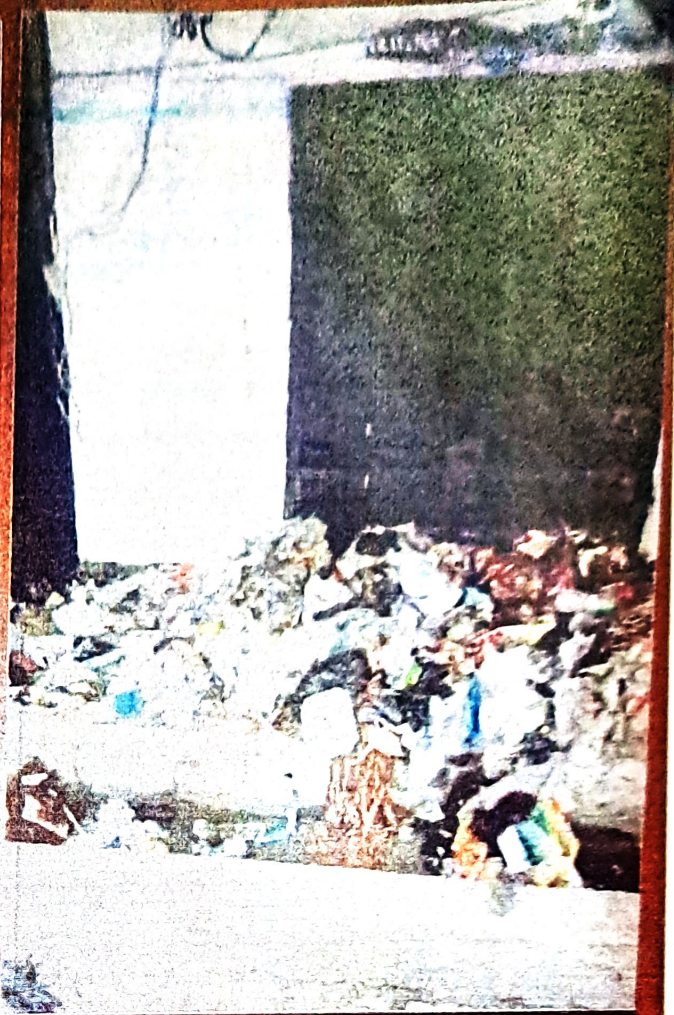
The return date of the hearing of the motion on notice is fixed for 8/2/2022.

ISSUED at the High Court of Justice, Orerokpe, under the HAND of the Presiding Judge and the SEAL of Court, this 1st day of February, 2022.


HIGH COURT OF JUSTICE
KODILOW KINGSLEY
Asst. Chief Registrar
OREROKPE



29-08-2022



29-08-2022



29-08-2022