

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA

SUIT NO: *FHC/ABJ(CS)/903/15*

IN THE MATTER OF THE INTERPRETATION OF RULES 1, 5 (1) & (11), RULES 3, F & L, OF THE CODE OF CONDUCT FOR JUDICIAL OFFICERS, PART 1, PARAGRAPH 7 (B), PARAGRAPH 9, 13, PART 11 & PARAGRAPH 12 OF THE FIFTH SCHEDULE TO THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999, AS ALTERED, SECTIONS 5, 10 (1), 13, 17 & 22 (3) OF THE CODE OF CONDUCT BUREAU AND TRIBUNAL ACT AND SECTIONS 6 (B) & (H) AND 7 (1) (A) & (B) & (2) OF THE ECONOMIC AND FINANCIAL CRIMES COMMISSION (ESTABLISHMENT) ACT, CAP E1 LFN 2004.

BETWEEN

REGISTERED TRUSTEES OF MISSION FOR
PEACE AND DEVELOPMENT INITIATIVE

} PLAINTIFF

AND

1. DANLADI YAKUBU UMAR,
CHAIRMAN CODE OF CONDUCT TRIBUNAL
2. THE CODE OF CONDUCT TRIBUNAL
3. ECONOMIC AND FINANCIAL
CRIMES COMMISSION
4. ATTORNEY GENERAL OF THE FEDERATION

FEDERAL HIGH COURT
ABUJA
CASHIER

signature

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} DEFENDANTS

ORIGINATING SUMMONS

BROUGHT PURSUANT TO ORDERS 3 RULE 6 AND 7 OF THE
FEDERAL HIGH COURT CIVIL PROCEDURE RULES (2009) UNDER
THE INHERENT JURISDICTION OF THIS HONOURABLE COURT

Let the Defendants of (i) Danladi Yakubu Umar, of Code of conduct Tribunal, Abuja; (2) The Code of Conduct Tribunal, Abuja, (3) the

meeting with an accused person standing trial before him *ex parte*, without the presence of the Prosecution, and Court Officials.

3. Whether by virtue of the combined provisions of Section 6 (b) & (h) and Section 7 (1) (a) and (b) & (2) of the Economic and Financial Crimes Commission Act, Cap., E1, LFN, 2004, the Economic and Financial Crimes Commission sued as the 3rd Defendant is not under a statutory duty to prosecute the 1st Defendant having investigated him (1st Defendant), and found him culpable of the offences of Conspiracy, Bribery, Abuse of office and money laundering, a charge that was drawn up by the EFCC (3rd Defendant herein), but never activated nor filed till date, for inexplicable reasons.

AND UPON THE DETERMINATION THEREOF, the Plaintiff seeks the following reliefs:

1. A DECLARATION that by the combined effect of the provisions of Rules 1, 5 (1) & (11), Rules 3, F, L, of the Code of Conduct for Judicial Officers, Fifth Schedule Part 1, Paragraph 7 (B) Paragraph 9, 13, Part 11 & Paragraph 12 of the Constitution of The Federal Republic of Nigeria, 1999, as altered, Sections 5, 10 (1), 13, 17 & 22 (3) of The Code of Conduct Bureau and Tribunal Act, 1st Defendant IS NOT a fit and proper person to sit in judgment and preside over the affairs of the Code of Conduct Tribunal and dispense justice to all Nigerians who appear before it, irrespective of gender, tribe, religion, or political persuasion, without fear or favour, malice or ill will, having run foul of the provisions of the Code of Conduct for Judicial Officers, and other extant provisions.
2. A DECLARATION that by the combined effect of the construction of Rules 1, 5 (1) & (11), Rules 3, F, L, of the Code of Conduct for Judicial Officers, Fifth Schedule Part 1, Paragraph 7 (B) Paragraph 9, 13, Part 11 & Paragraph 12 of the Constitution of The Federal Republic of Nigeria, 1999, as altered, the 1st Defendant IS NOT A fit and proper person and is estopped from sitting or further sitting in judgment and presiding over the affairs of the Code of Conduct Tribunal and dispense justice to all Nigerians who appear before it, irrespective of gender, tribe, religion, political persuasion, without fear or favour, malice or ill will, who appear before it, having run foul of the provisions of the Code of Conduct for Judicial Officers, by secret meeting with an accused person standing trial

