

Court dismisses Abba Kyari's fundamental rights suit against NDLEA

A Federal High Court, Abuja, on Thursday, dismissed a fundamental enforcement rights suit filed by suspended DCP Abba Kyari against National Drug Law Enforcement Agency (NDLEA).

Justice Inyang Ekwo dismissed the suit after counsel for the NDLEA, Joseph Sunday, prayed the court that the matter be struck out, the *News Agency of Nigeria (NAN)* has reported.

When the matter was called, Cynthia Ikenna, lawyer to Kyari, was absent.

Sunday, NDLEA's Director of Prosecution and Legal Services, urged the court to strike out the suit.

Justice Ekwo said he was informed that Ikenna sent a letter, praying the court for an adjournment.

But the letter was not filed by the lawyer and, therefore, not in compliance with the court's rule.

The judge directed that the letter be shown to the NDLEA's counsel.

Sunday, who expressed surprise with the development, said he was not copied in the letter in accordance with the rule of the court.

He prayed the court to strike out the matter.

After listening to NDLEA's lawyer, Justice Ekwo struck

out the case.

Also, the judge, after going into the substantive matter and seeing that parties had joined issues in the suit, went ahead to dismiss the case.

Ekwo had, on March 15, threatened to strike out the fundamental enforcement rights suit following the delay by Ikenna to serve Sunday a further and better affidavit after being served with the counter affidavit since February 28.

Justice Ekwo, in a short ruling, had threatened to strike out the suit if the lawyer was unprepared in the next adjourned date.

"Put your house in order before the next date of hearing and if you do not, I will assume you are frustrating this matter and the suit will be struck out," he said.

NAN reports that Kyari had said that the NDLEA's allegations against him were fictitious.

The suspended DCP disclosed this in an affidavit in support of his motion ex-parte marked: FHC/ANJ/CS/182/22 and filed before Ekwo.

The affidavit, dated February 16 and filed February 17, was deposed to by Kyari's younger brother, Muhammad Usman.

Kyari, through Ikenna, had

filled the application to seek for his fundamental rights enforcement.

In the document, Kyari described the allegations against him by NDLEA as "trump-up".

He said the agency had failed to establish a prima facie case against him.

He averred that the allegation linking him to an inter-

national drug cartel by the anti-narcotic agency was untrue.

He said since the Nigerian Police Force arrested him and handed him over to the NDLEA, he had been kept in custody since February 12, without having access to his medical treatment.

He averred that his arrest and continued detention was

an infringement on his fundamental human rights.

Kyari, a former head of the Inspector-General of Police Intelligence Response Team (IRT), in an originating motion on notice marked: FHC/ABJ/CS/182/22, dated February 16 and filed February 17 demanded a N500 million in damages from the NDLEA over alleged unlawful arrest

and detention.

He also sought for an order, directing the NDLEA to tender a written apology to him in two national dailies.

Kyari, who said that his fundamental rights would continue to be infringed upon by the NDLEA if the court did not intervene, urged the court to grant the application for bail in the interest of justice.

2014 NIS recruitment scam: Court frees Abba Moro, convicts former perm sec

Sunday Ejike | Abuja

JUSTICE Nnamdi Dimgba of a Federal High Court sitting in Abuja on Thursday discharged and acquitted former Minister of Interior, Abba Moro, in respect of the charges of fraud arising from the conduct of the botched Nigerian Immigration Service (NIS) recruitment exercise in 2014.

The Economic and Financial Crimes Commission (EFCC) had, in 2016 arraigned Abba Moro, along with former permanent secretary in the ministry, Mrs. Anastasia Daniel-Nwobia; and a deputy director in the ministry, Mr Femi Alayebami, on an 11-count charge, bordering on allegations of obtaining money by false pretext, procurement fraud and money laundering.

Justice Dimgba, who had, in 2020 quashed seven out of

the 11-count charge against Abba Moro and his co-defendants, following a no-case submission, in a judgement on Thursday, exonerated the former minister and a former director in the ministry, Mr Femi Alayebami, in the remaining four counts.

The court had, in 2020 freed Abba Moro, who is presently the Senator representing Benue South of counts 1, 3, 6, 7, 8, 9 and 10, along with Mr Alayebami and ordered all the defendants to open their defense in counts 2, 4, 5 and 11.

Other defendants in the matter are, one Mahmood Ahmadu (at large), and the contracting firm given the recruitment job, Drexel Tech Nigeria Ltd.

In quashing the charges against Abba Moro, the court held that he, being the Minister of Interior, was neither

a member of Tenders board nor a member of the committee that recommended the setting up of e-recruitment portal for the exercise.

The judge noted that, "the allegations against the first defendant was not properly proved by the prosecution," and that the award of the contract was limited to only four companies and that the prosecution did not tell the court the person that actually invited the four companies.

He held that the prosecution could not prove how the first defendant abused his office and further held that he found the first defendant not guilty of the charges preferred against him.

However, the judge, in the judgement, convicted Abba Moro's co-defendant, a former permanent secretary at the Ministry of Interior, Anas-

tasia Daniel-Nwobia, over the botched immigration recruitment in 2014 that led to the death of about 20 people.

The judge, while convicting Daniel-Nwobia, held that as the accounting officer of the ministry, she was responsible for ensuring that award of contracts are done in compliance with the Public Procurement Act and, having found that there was no approval from the Bureau of Public Procurement (BPP) before inviting the four companies, "I found the second defendant guilty in count four."

Justice Dimgba who also discharged and acquitted the third defendant in count four, which he noted carries a maximum of five years jail term without an option of fine, however, deferred sentencing of Daniel-Nwobia to April 27, 2022.



Lagos, 7th April 2022

PRESS RELEASE

NOTICE OF LATE FILING OF JAPPAUL GOLD & VENTURES PLC 2021 GROUP AUDITED FINANCIAL STATEMENTS

This is to announce that the filing of Japaul Gold & Ventures Plc's (the Company's) AFS for the year ended 31 December 2021 (2021 AFS), which was due for submission on the regulatory due date of 31 March 2022 is currently pending due to delay in receiving major third parties' confirmations by the External Auditors.

In view of the aforementioned reason(s), the 2021 Audit exercise is still in progress and the Audit firm does not want to leave any area of its audit exercise uncovered to ensure accurate activities reporting.

The Company sincerely apologize for the unavoidable delay and assures the public/stakeholders/prospective investors to bear with us.

The Company shall do all things within its reach to ensure that the 2021 AFS is filed on or before Friday, April 22nd, 2022.

For: Japaul Gold & Ventures Plc

Michael Edeko Esq.
Company Secretary