

- use of section 146 of the Electoral Act, 2006 to shield from invalidity, various infractions of the Act, including cases of non-compliance amounting to corrupt practice, non-compliance with the provisions relating to ballot papers and to the voters' register.
4. Whether the decision of the Court of Appeal striking out the name of the 5th respondent on the ground that he is not a juristic personality is correct having regard to the pleadings, evidence and entire circumstances of the petition.
  5. Whether Court of Appeal rightly deemed the 1st respondent as having been duly elected President of the Federal Republic of Nigeria by majority of valid lawful votes of 24,638,063 in the face of the three conflicting "final" results of the election which the 4th and 6th respondents were unable to explain or reconcile by their pleadings or by evidence at the trial.
  6. Whether the allegations of apparent similar handwriting on documents tendered by consent can only be established by calling expert handwriting analyst, when respondents offered no explanation beyond bare denial through unnamed, unsworn witnesses, who were not the authors of the said documents.
  7. Whether the decision of the Court of Appeal to the effect that the petitioners did not specifically identify any police officer or soldier who participated in the conduct of the election was correct having regard to the admissions on record, pleadings and evidence.
  8. Whether or not the failure of the Court of Appeal to consider the validity and admissibility of all the witness statements of the 1st and 2nd respondents and some of those of the 4th - 808th respondents occasioned a miscarriage of justice.
  9. Whether or not the total failure of the Court of Appeal to evaluate and pronounce upon the evidence elicited from the 5th respondent by way of answers to the administered interrogatories occasioned a miscarriage of justice.
  10. Whether or not a proper case for the Supreme Court to invoke section 22 of the Supreme Court Act to invalidate the elections in view of:
    - (i) Failure of the Court of Appeal to evaluate evidence on vital issues relating to delivery and supply of ballot papers.
    - (ii) Disregarding petitioners' submissions on thousands of exhibits that supported petitioners' as highlighted in schedules 1-25 incorporated into their final addresses;
    - (iii) Failure of the Court of Appeal to properly evaluate and pronounce on evidence led by the petitioners in their witnesses' statements and ascribing to such witnesses prejudicial conclusions not borne by the records;
    - (iv) Allowing extraneous political considerations to affect then judgment to the prejudice of the petitioners. (Grounds 17, 18, 26, 33, 37 and 39).
    - (v) Disallowing the petitioners' independent witnesses on subpoena from testifying on ground that their depositions were not front-loaded at the time of filing of the petition. (Ground 1, 2 and 4 of interlocutory appeal)."
- The 1st and 2nd respondents formulated the following ten issues for determination:
- "(i) Upon a dispassionate interpretation of section 145(d) of the Electoral Act, 2006, whether the appellants who complained of total exclusion from participation in the election could still rightly challenge the outcome of the election under any of the grounds stated in section 145(l)(a), (b) and (c) of the same Electoral Act.
  - (ii) Considering the fact that the objection raised to the competence of the appeal was/is jurisdictional, coupled with the fact that the lower court did not dispose of the merits of the said objection in its ruling of 20 September 2007, whether it can rightly be said that the said objection has been caught by issue estoppel to exclude the valid pronouncement made on it by the lower court in its final judgment.
  - (iii) Having regard to the state of the pleadings read together with the mandatory provisions of paragraph 4(l)(c) of the First Schedule to the Electoral Act, 2006, hi

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**Imran Oluwole Smith**



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**The Law of Restitution in Nigeria** Festus Emiri, 2012 The Law of Restitution in Nigeria covers the historical development of restitution in law its scope and contemporary issues related to it Some of the issues covered are Ignorance Incapacity Exploitation Enrichment at the plaintiffs expense Restitution for wrongs and general principles torts breach of contract equitable wrongdoing criminal offenses Defenses relating to changing circumstances Illegality and limitation of actions in restitution

**Dismissal in Nigeria Labour Law** Celestine N. Omehia, 2011-08-02 It is important to note that this is the second edition of this book and like I rightly pointed out in the first edition the choice of this title and the subject matter was not a thing of accident It was predicated upon my observations of the unwholesome Labour Relations in the Nigerian Industrial set ups As at the time of making up my mind about this book there was an unequal balanced relationship between the employers of labour in all segments of our Labour Relations on the one hand and those employed to do any kind of work on the other The other reason is my realization that there is every need for legal practice to go into minute specialization We could specialize in every aspect of the law for purposes of effective practice specialization and representation

*Law of Contractual Obligations in Nigeria* Otu Enyia, 2019 This book is a compendium of the law relating to contractual obligations and covers specific areas of law of contract sale of goods contract hire purchase contract agency contract labour contract banking contract insurance contract in Nigeria Essentially it summarises the basic principles of contractual obligations that are prevalent in day to day engagements

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**Modern Nigerian Constitutional Law** Efemini, Ovo M.,2017-08-09 Modern Nigerian Constitutional Law Practices Principles and Precedents has fifteen chapters covers not only the traditional core topics in constitutional law but also the generally neglected ones In chapter one the author examines some basic issues in Nigerian constitutional law and in chapter two the supremacy of the Constitution is examined Also examined in this book are federalism local government fundamental rights the fundamental rights enforcement procedure the legislature the executive the judiciary elections INEC and political parties Although primarily intended as a textbook for students the practitioner and the judge will find it refreshingly rewarding

**An Almanac of Contemporary and Comparative Judicial Restatements (ACCJR Supp. ii Public Law)** Oshisanya, 'lai Oshitokunbo,2020-01-02 Public law

**Civil Procedure in Nigeria** Caroline Omochavwe Oba,2022-05-20 Derived from the renowned multi volume International Encyclopaedia of Laws this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in Nigeria Lawyers who handle transnational matters will appreciate the book s clear explanation of distinct terminology and application of rules The structure follows the classical chapters of a handbook on civil procedure beginning with the judicial organization of the courts jurisdiction issues a discussion of the various actions and claims and then moving to a review of the proceedings as such These general chapters are followed by a discussion of the incidents during proceedings the legal aid and legal costs and the regulation of evidence There are chapters on seizure for security and enforcement of judgments and a final section on alternative dispute resolution Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance Succinct scholarly and practical this book will prove a valuable time saving tool for business and legal professionals alike Lawyers representing parties with interests in Nigeria will welcome this very useful guide and academics and researchers will appreciate its comparative value as a contribution to the study of civil procedure in the international context

Law and Creditor Protection in Nigeria Onamson, Friday Okafor,2017-08-08 Examined here are the legal and practical reasons for the inefficiency of the legal framework of creditor protection in Nigeria This is amply justified considering the critical role of credit in the promotion of economic growth and development and also bearing in mind the near calamitous consequences the 2009 financial crisis unleashed not only among Nigerian banks and financial institutions and in the international financial system The latter nearly led to socioeconomic catastrophe in Nigeria as well as globally It is hoped that book is found useful by government policy makers academics corporate financial experts investment bankers and other stakeholders to initiate

and implement efficient policy actions to protect creditors in order to sustain the flow of credit the engine of any economy

Property and Trust Law in Nigeria Imran Oluwole Smith, 2022-06-20 Derived from the renowned multi volume International Encyclopaedia of Laws this practical analysis of the law of property in Nigeria deals with the issues related to rights and interests in all kinds of property and assets immovable movable and personal property how property rights are acquired fiduciary mechanisms and security considerations Lawyers who handle transnational disputes and other matters concerning property will appreciate the explanation of specific terminology application and procedure An introduction outlining the essential legal cultural and historical considerations affecting property is followed by a discussion of the various types of property Further analysis describes how and to what extent legal subjects can have or obtain rights and interests in each type The coverage includes tangible and intangible property varying degrees of interest and the various ways in which property is transferred including the ramifications of appropriation expropriation and insolvency Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance The book includes ample references to doctrine and cases as well as to relevant international treaties and conventions Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable time saving tool for any practitioner faced with a property related matter Lawyers representing parties with interests in Nigeria will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative property law

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