



SAMPLE DRAFTS

LEGAL DRAFTING AND CONVEYANCING





PLEADINGS



SAMPLE WRIT OF SUMMONS AND PLEADINGS

FORM 1

General Form of Writ of Summons O.3 R.3

**IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA
IN THE AWKA JUDICIAL DIVISION
HOLDEN AT AWKA**

Suit No: A/ /2025

BETWEEN:

.....

PLAINTIFF

AND

.....

DEFENDANT

To:

THE DEFENDANT

.....(The name of the defendant)....of

.....(The address of the Defendant)

You are hereby commanded that within forty-two days after the service of this writ on you, inclusive of the day of such service you do cause an appearance to be entered for you in an action at the suit of(The name of the plaintiff)..... and take notice that in default of your so doing the plaintiffs may proceed therein, and judgment may be given in your absence.

DATED THISDAY OF, 2025.

.....
Registrar

Memorandum to be subscribed on the writ

N.B.

This writ is to be served within six calendar months from the date thereof, or, if renewed, within three calendar months from the date of the last renewal, including the day of such date, and not afterwards.

Forms of writ of summons

The defendant may enter appearance personally or by Legal Practitioner either by handing in the appropriate forms, duly completed, at the Registry of the High Court of the Judicial Division in which the action is brought or by sending them to the Registry by recorded courier service.

Endorsement to be made on the writ before issue thereof:

The plaintiffs claim against the defendants jointly and severally is as follows:

1. **A declaration** that the Plaintiff is the exclusive and statutory owner of the Parcel of Land laying, being and situated at immediately after
2. **An order** of this Honourable Court restraining the Defendants, their privies, agents or anyone acting on their behalf from trespassing and encroaching into the Parcel of Land situated at and measuring
3. The Sum of N50,000,000.00 (Fifty Million Naira) only being general damages against the Defendants jointly and severally.

DATED THIS DAY OF, 2025.

The writ was issued by (**Name of the Plaintiff's Counsel**) whose address for service is (**Office address of the Plaintiffs' Counsel**), Legal Practitioners for the said plaintiffs who reside at (**Address of the Plaintiffs**)

.....
Name of Plaintiff's counsel
Plaintiff's Counsel

Endorsement to be made on copy of writ of forthwith after service.

This writ was served by me at on the defendants(here) insert mode of service on the 20Endorsed theday of 2025.

Before the writ is issued the following certificate must be indorsed on it: The Registry, High Court of Anambra State.

In theJudicial Division.

A sufficient affidavit in verification of the indorsement on this writ to authorize the sealing thereof has been produced to me this day of 20

.....
(Signature of Registrar)

**IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA
IN THE AWKA JUDICIAL DIVISION
HOLDEN AT AWKA**

Suit No: A/ /2025

BETWEEN:

.....

PLAINTIFF

AND

.....

DEFENDANT

STATEMENT OF CLAIM

1. The Plaintiff is a Registered Trustee of the Kenneth Onwuka Dike Center duly registered under Part C of the Companies and Allied Matters Act 1990 with RC No: and domiciled in Nigeria.
2. The 1st Defendant is a native of Nsogwo Village, Umunze Orumba South Local Government Area of Anambra State and domiciled in Nigeria.
3. The 2nd Defendant is a limited liability company whose registered address is at and engages in the business of PMS, kerosene and diesel storage, distribution and sale to the public.
4. The Plaintiff is the statutory owner of the parcel of land located at of Anambra State, measuring with Survey Plan No: drawn by
The Plaintiff shall found and rely on a copy of the Dispute Plan at the trial.
5. The Plaintiff was granted a Statutory Certificate of Occupancy on the by the then The Plaintiff took possession thereafter. The Plaintiff shall found and rely on a Certified True Copy of the Statutory Certificate of Occupancy at the trial.

6. The Plaintiff thereafter, relocated to London where he continued his academic pursuit and upon completion began work as a professional and settled there.
7. Upon his return to Nigeria, sometime in thethe Plaintiff discovered that the parcel of land in dispute had been entered into by strangers and work commenced therein.
8. On further enquiry, the Plaintiff discovered that the furniture warehouse building built on a part of the Land is owned by the Defendants. The Plaintiff, being cautious, applied to the Ministry of Lands, Survey and Town Planning, Awka on the status of the Statutory Certificate of Occupancy issued to them and discovered it was never revoked.

The Plaintiff shall found and rely on a copy of the Property Search conducted at the Ministry of Lands Awka dated the at the trial.

9. The Plaintiff, via a letter dated the applied to the Awka Capital Territory Development Agency for intervention and the properties thereon were promptly marked for demolition. The Plaintiff shall found and rely on the said letter at the trial.
10. The Plaintiff is the exclusive and statutory owner of the Parcel of Land situated at Agu-Awka immediately after the permanent site of Nnamdi Azikiwe University, Awka and the Defendants will not stop their encroachments if not restrained by this Honourable Court.
11. **WHEREFORE** the Plaintiff claims against the Defendants jointly and severally as follows:
 1. **A declaration** that the Plaintiff is the exclusive and statutory owner of the Parcel of Land laying, being and situated at immediately after
 2. **An order** of this Honourable Court restraining the Defendants, their privies, agents or anyone acting on their behalf from trespassing and encroaching into the Parcel of Land situated at and measuring
 3. The Sum of N50,000,000.00 (Fifty Million Naira) only being general damages against the Defendants jointly and severally.

Dated thisday of, 2025

.....

Name of the Plaintiffs' Counsel
Address of the Plaintiffs' Counsel
Phone Number and email address of
the Plaintiffs' Counsel

FOR SERVICE ON:

Name, Address and Phone Number of the Defendants

**IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA
IN THE AWKA JUDICIAL DIVISION
HOLDEN AT AWKA**

Suit No: A/ /2025

BETWEEN:

.....

PLAINTIFF

AND

.....

DEFENDANT

DEPOSITION ON OATH OF PLAINTIFF WITNESS (Name of Witness)

I, **(Name of Witness)** Adult, Male, Christian, Businessman, Nigerian citizen of (Address of Witness) in Local Government Area of Anambra State of Nigeria doth hereby make oath and state as follows:

1. I am the deponent to this affidavit.
2. I am the paternal Uncle to the Plaintiff and as such conversant with the facts of this case.
3. Every Fact that I depose to in this affidavit are facts within my personal knowledge and to the best of my knowledge true and accurate.
4. The Plaintiff is a Registered Trustee of the duly registered under Part C of the Companies and Allied Matters Act 1990 with RC No: and domiciled in Nigeria.
5. The Plaintiff is the statutory owner of the parcel of land located at of Anambra State, measuring with Survey Plan No: drawn by
6. The Plaintiff was granted a Statutory Certificate of Occupancy on the by the then The Plaintiff took possession thereafter. I accompanied him to the Ministry of Lands on the said date and thereafter we drove to the Land in dispute.

7. The Plaintiff thereafter, relocated to London where he continued his academic pursuit and upon completion began work as a professional and settled there. I was tasked with looking after the said land on his behalf. I did that before I relocated to Niger State to spend time with my son and grandkids.
8. Upon the plaintiff's return to Nigeria, he discovered that the parcel of land in dispute had been entered into by strangers and a building was being constructed there.
9. He alerted me and on further enquiry, I discovered that the furniture warehouse building built on a part of the Land is owned by the Defendants.
10. I advised the Plaintiff to apply to the Ministry of Lands, Survey and Town Planning, Awka to enquire on the status of the Statutory Certificate of Occupancy issued to them and he discovered that it was never revoked.
11. I state that the Plaintiff is the exclusive and statutory owner of the Parcel of Land situated at immediately after the and the Defendants will not stop their encroachments if not restrained by this Honourable Court.
12. I solemnly make this oath in good faith conscientiously believing same to be true and accurate and in accordance with the Oaths Act.

.....
D E P O N E T

SWORN to at the High Court Registry,
Awka, this day of, 2025.

B E F O R E M E

.....
COMMISIONER FOR OATHS

**IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA
IN THE AWKA JUDICIAL DIVISION
HOLDEN AT AWKA**

Suit No: A/ /2025

BETWEEN:

.....

PLAINTIFF

AND

.....

DEFENDANT

LIST OF DOCUMENTS TO BE RELIED UPON BY THE PLAINTIFF

1. Plaintiff's Statutory Certificate of occupancy dated
2. Plaintiff's survey plan No:..... Dated
- The plaintiff's letter to Umuomenuko family dated 10th August, 2015.
3. Plaintiff's

Dated this day of, 2025

.....
Name of the Plaintiffs' Counsel
Address of the Plaintiffs' Counsel
Phone Number and email address of
the Plaintiffs' Counsel

FOR SERVICE ON:

Name, Address and Phone Number of the Defendants

**IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA
IN THE AWKA JUDICIAL DIVISION
HOLDEN AT AWKA**

Suit No: A/ /2025

BETWEEN:

.....

PLAINTIFF

AND

.....

DEFENDANT

LIST OF WITNESSES THE PLAINTIFF WILL CALL AT TRIAL

1. Mr. Omenyi

Dated thisDay of, 2025.

.....
Name of the Plaintiffs' Counsel
Address of the Plaintiffs' Counsel
Phone Number and email address of
the Plaintiffs' Counsel

FOR SERVICE ON:

Name, Address and Phone Number of the Defendants

SAMPLE PETITION FOR DIVORCE
IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA
IN THE HIGH COURT OF AWKA JUDICIAL DIVISION
HOLDEN AT AWKA

SUIT NO: A/ /2025

BETWEEN:

MR. PETITIONER

AND

**MRS. RESPONDENT
(NEE)**

PETITION FOR DISSOLUTION OF MARRIAGE

THE PETITIONER, MR., whose address is Umunono-Umuanum Village, Nibo in Awka South L.G.A of Anambra State of Nigeria and who is a Civil Servant petitions the Court for a Decree of Dissolution of Marriage against the Respondent, MRS. (NEE),whose address is No. 10 Village, Amawbia in Awka South L.G.A of Anambra State of Nigeria and who was a former employee of, on the grounds that the marriage has broken down irretrievably based on the following:

- (a) The Respondent has deserted the Petitioner for a continuous period of eight (8) years immediately preceding the presentation of the petition.
- (b) Since the marriage, the Respondent has acted in such a way that the petitioner cannot reasonably be expected to live with the Respondent.

MARRIAGE:

1. The Petitioner, then a bachelor, married the Respondent, then a spinster, traditionally, and performed all the rites in accordance with the native Law and Custom of Amawbia, Awka South Local Government Area of Anambra State. The Petitioner proceeded with a ceremony of statutory marriage with the Respondent, at The Church of the Holy Spirit Anglican Church, Diocese of Awka (Anglican Communion) ,a licensed place of worship on the

..... and in accordance with the rites of marriage observed by the Anglican Communion and the Marriage Act. The Petitioner will at the trial, rely on the Certificate of Marriage which had been in the possession of the Respondent. Since the date of the marriage. Notice is hereby given to the Respondent to produce same at the trial. The Petitioner only succeeded in getting a photocopy from the Respondent when he wanted to travel abroad in 2005. The said photocopy of the Certificate of Marriage is hereby attached and marked EXHIBIT "A".

2. The surname/maiden name of the Respondent immediately before the marriage was The surname of the Petitioner immediately before the marriage was

THE BIRTH OF PETITIONER AND RESPONDENT

3. The Petitioner and the Respondent were born in Nigeria.

DOMICILE OF RESPONDENT AND PETITIONER

4. The petitioner is within the meaning of the Act, domiciled in Nigeria. The facts on which the Court will be asked to find that the Petitioner is so domiciled are as follows;
 - a. The Petitioner, prior to the said marriage, resides at Awka in Awka South L.G.A of Anambra State of Nigeria and has remained at the said Town till date.
 - b. The Respondent resides at NO., Amawbia in Awka South L.G.A, Anambra State.
5. The Petitioner and The Respondent were previously not married to any other person immediately before the solemnization of the marriage.

COHABITATION

6. Particulars of the place at which and the period during which the Petitioner and Respondent have cohabited are as follows:

- a. That Immediately after the marriage, the Petitioner and the Respondent lived together at Awka in Awka South L.G.A of Anambra State of Nigeria.
- 7. The date and circumstances in which cohabitation between the Petitioner and Respondent last ceased are:
 - a. On about the year 2003, the Respondent developed the habit of leaving her matrimonial home without the knowledge and consent of the Petitioner and returned at will.
 - b. The Respondent travels outside Awka where she resides with the Petitioner without informing the Petitioner of her whereabouts, spends days and comes back to their matrimonial home whenever it pleases her.
 - c. The Petitioner whenever he politely confronts the Respondents of her whereabouts, is rudely responded to by the Respondent, and asks whether the Petitioner informs her of his own daily whereabouts.
 - d. On the 13th day of July, 2009, the Respondent on her own volition, without any sort of provocation, left with the only child of their marriage without the Petitioner's consent.
 - e. Since the 13th day of July, 2009, when the Respondent left her matrimonial home and the Petitioner, the Petitioner had on several occasions tried to reach out to the Respondent for reconciliation and have also tried to ask for her forgiveness in any way he must have offended her unknowingly, but all to no avail.
 - f. The Petitioner had also asked and pleaded with the Respondent to grant him access to see their only child and be with her, but the Respondent had on several occasions refused and also prevented the Petitioner from having access to their only child.
 - g. On or about the month of July, 2012 (3 years after), the Petitioner aggrieved by the unwarranted withdrawal of the Respondent from their matrimonial home and marriage and her unrepentant separation from the Petitioner, was forced to ask for the dowry he paid on the Respondent and which said dowry was refunded to the Petitioner sometime in the Month of July, 2012, formally dissolving the customary marriage contracted between them.
 - h. That after the dissolution of the Customary marriage between the petitioner and the Respondent in July 2012, the Respondent still parades herself and bearswhereof she retains the Petitioner name and uses it in all her transactions and dealings.
 - i. That the Respondent having lost her job at since 2010 and has no other means of livelihood cannot sustain herself, and cannot provide the basic needs of their only child,
 - j. That consequent upon paragraph (i) above, the Respondent cannot be granted custody of their only child as she is incapable of taking care of the child and

providing adequate education, basic health-care and other basic needs of their child.

CHILDREN OF THE MARRIAGE

8. Particulars relating to the only child of the marriage to whom Order 5, Rule 8 applies are as follows:

- a.born on the is the only child of the Marriage and attends (Anglican Communion) and the Petitioner has since her Nursery and Primary School been catering for her well being in terms of financing her education, feeding and other sundry expenses required to give her a decent life.

PREVIOUS PROCEEDINGS:

9. Since the Marriage, there has not been any previous proceeding in any Court between the Parties to the Marriage.

FACTS

10. The facts relied on by the Petitioner as constituting the grounds specified above are as follows:

- a. Since the marriage, the Respondent has behaved in such a manner that the Petitioner cannot reasonably be expected to live with her by:
- i. Consulting and visiting strangers at will
 - ii. Denying the Petitioner his conjugal rights
 - iii. Travelling indiscriminately and without the consent and knowledge of the Petitioner.
 - iv. The Petitioner and the Respondent have lived apart for more than three years before the refund of dowry paid on the Respondent and more than four years thereafter, totaling about seven years running (i.e 2009-2016).

CONDONATION, CONNIVANCE AND COLLUSION

11. The Petitioner has not condoned or connived at the grounds specified above and is not guilty of collusion in presenting this petition.

PROPOSED ARRANGEMENT FOR THE ONLY CHILD OF THE MARRIAGE

12. The Petitioner proposes to train the only child of the marriage, to any educational level she would be able to attain.
13. The Petitioner has been fending for the only child of the marriage, ,ever since the Respondent deserted their matrimonial home in the following ways:-
 - i. Paying her school fees regularly without default.
 - ii. Paying her hospital bill whenever she is sick
 - iii. Providing money for her feeding.
14. The Petitioner has been responsible for and will continue with the upkeep, school fees and medical expenses of the only child of the marriage,
15. The Petitioner will leave no stone unturned in bringing up the only child of the marriage in sound Christian faith. The Petitioner and his family members are committed Christians and members of the Anglican Communion.

ORDERS SOUGHT

- 16.The Petitioner seeks the following orders against the Respondent and in favour of the Petitioner
 - a. **A DECREE** of dissolution of the marriage against the Respondent, on the grounds that the marriage had broken down irretrievably, more so, that the parties having lived apart for a period exceeding three (3) years.
 - b. **AN ORDER** of Court granting Custody of the only child of the marriage, , to the Petitioner and occasional visitation rights (the frequency of which shall be determined by the Court) to the Respondent.
 - c. **AN ORDER** of the Court restraining the Respondent from further using or making further use of the petitioner's name in any of her transaction or dealings.

This Petition was settled by

(Name and Address of Legal Practitioner)

**Filed on theday of, 2025 by on
behalf of the Petitioner whose address for services is:**

(Name and Address of Legal Practitioner)

IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA
IN THE HIGH COURT OF AWKA JUDICIAL DIVISION
HOLDEN AT AWKA

SUIT NO: A/ /2025

BETWEEN:

MR. PETITIONER

AND

MRS. RESPONDENT
(NEE))

ACKNOWLEDGEMENT OF SERVICE

I, MRS. (.....) acknowledge that on this..... day of, 2025 at, I received;

- a. A sealed copy of the petition in these proceedings.
- b. Notice of Petition addressed to me:

I also acknowledge that I am the person referred to in the sealed copy of the Petition as the Respondent and that I am the person whom the Notice of Petition is addressed.

DATED THIS DAY OF, 2025.

SIGNATURE

IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA
IN THE HIGH COURT OF AWKA JUDICIAL DIVISION
HOLDEN AT AWKA

SUIT NO: A/ /2025

BETWEEN:

MR. PETITIONER

AND

MRS. RESPONDENT
(NEE))

NOTICE OF PETITION

TO: THE RESPONDENT

MRS.)
NO.
ANAMBRA STATEE

TAKE NOTICE that a Petition has been presented to the above named Court by MR.of Umunono-Umuanyan Village, Nibo in Awka South L.G. A of Anambra State of Nigeria instituting proceedings for a Decree of dissolution of Marriage and also seeking with respect, custody of the only child of the Marriage,

1. A sealed copy of the petition is delivered to you with this NOTICE.
2. If you intend to consult a solicitor in connection with the proceedings you should take to him all the documents delivered to you.
3. The form of acknowledgement of service delivered to you with this notice should be completed and signed by you and either you or your legal Petitioner should immediately return it to the Petitioner's legal Practitioner; an addressed envelope is delivered to you for that purpose.
5. If you desire:-
 - a. To deny any fact as alleged in the petition
 - b. To allege any additional facts for the consideration of the Court

- c. To submit to the Court that it should dismiss any of the proceeding instituted by the Petitioner or
 - d. To make any other submission to the Court, You should file an answer to the petition.
6. If you wish to institute proceeding for dissolution of marriage, nullity of marriage, judicial separation or restitution of conjugal rights, you may do so in an answer to the petition filed by you. If you institute proceedings for dissolution of marriage on the grounds that the Petitioner has committed adultery, you may also by the answer, institute proceedings for damages in respect of adultery.
7. If you wish to institute proceedings for the purpose of seeking an Order with respect to maintenance for yourself, a settlement, the custody or guardianship of infant children of the marriage for the maintenance, welfare, advancement or education of the only child of the marriage, you should do so by filling an answer to the petition. If you fail to do so; you will have to obtain the leave of Court to institute proceedings.
8. If you do not wish to file an answer but wish to receive a copy of each document filed in connection with the proceeding, you should file a notice of address of service. However, unless you file an answer, you will not, without the leave of Court, be entitled to furnish evidence to the Court or address the Court at trial of the Proceeding and the Court may hear and determine the proceedings in your absence.
9. Any answer or notice of address for service filed by you must be filed within 14 days after you received this notice or within such extended as Petitioner or the Court allows and service of a copy of the answer or notice must be affected in accordance with the Matrimonial causes Rules.

DATE THIS _____ DAY OF _____ 2025

(Name and Address of Legal Practitioner)

**FOR SERVICE ON:
THE RESPONDENT**

(Name and Address of the Respondent)

SAMPLE STATEMENT OF DEFENCE
IN THE NATIONAL INDUSTRIAL COURT OF NIGERIA
IN THE AWKA JUDICIAL DIVISION
HOLDEN AT AWKA

SUIT NO. NICN/AWKA/...../20....

BETWEEN:

..... - **CLAIMANT**

AND

..... - **DEFENDANTS**

NOTICE OF CONDITIONAL APPEARANCE

Take Notice that the Defendant,.....(Name of Defendant)..... Hereby enters conditional Appearance in this Suit.

Dated thisday of, 2025

.....
Name of the Defendants' Counsel
Address of the Defendants' Counsel
Phone Number and email address of the Defendants' Counsel

FOR SERVICE ON:

.....
Name of the Plaintiff's Counsel
Address of the Plaintiff's Counsel
Phone Number and email address of the Plaintiff's Counsel

IN THE NATIONAL INDUSTRIAL COURT OF NIGERIA
IN THE AWKA JUDICIAL DIVISION
HOLDEN AT AWKA

SUIT NO. NICN/AWKA/...../20....

BETWEEN:

..... — **CLAIMANT**

AND

..... — **DEFENDANTS**

STATEMENT OF DEFENCE

SAVE as hereinafter expressly admitted, the Defendants deny each and every allegation of fact contained in the Claimant's statement of fact as if same were set out herein and traversed seriatim, and shall at the Trial rely on all legal and equitable defenses open to them and not specifically pleaded.

1. The Defendants admit paragraph 1 of the statement of facts only to the extent that all the rest allegations of facts thereof are hereby denied by the Defendants.
2. In answer to paragraph 1, Defendants aver that;
.....
3. The Defendants admit paragraphs 2 and 3 of the Statements of facts.
4. The Defendants vehemently deny paragraph 4, 5 and 6 of the Statement of facts and shall at the trial put the Claimant to the strictest proof thereof.
5. In answer to paragraph 4 of the statement of facts, the Defendants aver that
.....
.....
6. In answer to paragraph 5 of the statement of facts, the defendants aver that
.....
.....

7. In answer to paragraph 6 of the statement of facts, the Defendants aver that the

.....
.....

8. The Defendants admit paragraph 7 of the statement of facts.

9. The Defendants vehemently deny paragraph 8 of the statement of facts.

.....
.....

10. The Defendants admit paragraph 9 of the Statement of facts.

11. The 2nd Defendant vehemently deny paragraphs 10, 11 & 12 of the statement of facts
and shall at the trial put the Claimant to the strictest proof thereof.

12. In answer to paragraph 10 of the statement of facts, the 2nd Defendants avers that he

.....
.....
.....

13. In answer to paragraphs 11 and 12 of the Statement of facts, the Defendants aver
that

.....
.....
.....

WHEREFORE the Defendants urges this Honourable Court to discountenance the
claims of the claimant as fictitious and malicious, with punitive costs.

Dated thisday of, 2025

.....
Name of the Defendants' Counsel
Address of the Defendants' Counsel
Phone Number and email address of the
Defendants' Counsel

FOR SERVICE ON:

.....

Name of the Plaintiff's Counsel

Address of the Plaintiff's Counsel

Phone Number and email address of the Plaintiff's Counsel



MOTIONS



SAMPLE MOTION
IN THE HIGH COURT OF ANAMBRA STATE
IN THE AWKA JUDICIAL DIVISION
HOLDEN AT AWKA

SUIT NO:

BETWEEN

MR.-

PETITIONER/APPLICANT

AND

MRS.-

RESPONDENT

MOTION ON NOTICE

BROUGHT PURSUANT TO SECTION 36 (1), (3) AND (4) OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 AS AMENDED, SECTION 2(1) OF THE MATRIMONIAL CAUSES ACT, PARAGRAPHS E1, 2, 4,10(e)(f) AND (g) OF THE NATIONAL JUDICIAL COUNCIL DIRECTIVES, MAY 2020 AND UNDER THE INHERENT JURISDICTION OF THIS HONOURABLE COURT.

TAKE NOTICE that this Honourable Court will be moved on____ the ____ day of _____ 2024 at the hour of 9 O'clock in the forenoon or so soon thereafter as counsel may be heard on behalf of the Claimant/Applicant praying this Honourable Court for the following Order(s):

1. **AN ORDER OF THIS HONOURABLE COURT GRANTING LEAVE** for accelerated virtual hearing of the substantive matter of the suit above as it affects the Petitioner/Applicant from his location in the United Kingdom.
2. **AN ORDER OF THIS HONOURABLE COURT GRANTING LEAVE** to enable the Petitioner/Applicant to join and participate in the virtual proceedings in respect of the above suit vide Zoom, or any other virtual platform as may be directed by this Honourable Court which Petitioner/Applicant's participation will be from his location in the United Kingdom.
3. **AN ORDER OF THIS HONOURABLE COURT GRANTING LEAVE** to enable the Petitioner/Applicant be led in evidence and be cross-examined in respect of the above suit vide Zoom, or any other remote/virtual hearing platform as may be allowed by this Honourable Court from the commencement of the suit to the end to enable quick dispensation of justice in the matter.
4. And for such order or further order(s) as this Honourable court may deem fit to make in the circumstances.

GROUND UPON WHICH THIS APPLICATION IS BROUGHT:

- (1) The Petitioner/Applicant is a Nigerian who lives in the United Kingdom.
- (2) The Petitioner desires an accelerated court ordered virtual hearing of the matter to enable him move on with his life and develop the other areas of his life.
- (3) It is very difficult for the Petitioner/Applicant to travel out of the United States, as such, his physical presence in court cannot be guaranteed because of the huge sum he would need to fund his travelling including that of coming to Nigeria to do the case in the open physical court which fund he cannot afford at the moment.
- (4) That travelling to Nigeria to attend court proceedings for the purpose of the physical hearing of the matter will terribly affect the Petitioner/Applicant's menial means of livelihood, especially because his pay is hourly rated.
- (5) It is necessary that the Petitioner/Applicant be heard virtually in an accelerated manner and allowed to participate in the virtual proceedings in respect of the above suit vide Zoom, or any other virtual platform as may be directed by this Honourable Court which participation shall be from USA.
- (6) The Petitioner/Applicant is desirous to be led in evidence and be cross-examined in respect of the above suit vide Zoom, or any other remote/virtual hearing platform in an accelerated manner as may be allowed by this Honourable Court for the quick dispensation of justice in the matter.
- (7) Granting the application will not be prejudicial to the case as the Respondent will also have the opportunity to participate and be heard in the matter vide the virtual proceedings as well.

DATED THISDAY OF 2024

.....
.....

FOR SERVICE ON:

The Respondent

.....

IN THE HIGH COURT OF ANAMBRA STATE
IN THE AWKA JUDICIAL DIVISION
HOLDEN AT AWKA

SUIT NO:

BETWEEN

MR.-

PETITIONER/APPLICANT

AND

MRS.-

RESPONDENT

AFFIDAVIT IN SUPPORT OF MOTION

I, male, Christian, Nigerian Citizen of No. 1..... do hereby make this oath and state as follows:

1. That I am the Litigation officer with the Law firm....., solicitor to the Petitioner/Applicant
2. That I have the consent of the Petitioner/Applicant and that of my employer to depose virtue of my role and duty, I am quite conversant with the facts deposed to by me as contained in this affidavit.
3. That I have the consent of the Petitioner/Applicant and that of my employer to depose to the facts in this affidavit and facts deposed to are facts as related to me....., counsel seized with the facts of this case at our office at
4. That by virtue of my filing of processes in this case and reading the case file, I know that the Petitioner/Applicant is the sole witness in this suit.
5. That I was informed by the Petitioner/Applicant and....., counsel to the Petitioner/Applicant, vide a video conference which I partook of at about 2:00 p.m. that:
 - a. That the Petitioner/Applicant lives in the United Kingdom.
 - b. That Petitioner/Applicant desires an accelerated court-ordered virtual hearing of the matter to enable him move on with his life.
 - c. That the family crisis has continued to cause an untold hardship on him because of the unbearable emotional trauma and psychological imbalance the Respondent has continued to subject him to.

- d. That the Petitioner cannot travel in and out of the United Kingdom because of the huge sum he would need to fund his travelling including that of coming to Nigeria to do the case in the “open physical court” which fund he cannot afford to spend at the moment.
 - e. That travelling to Nigeria to attend court proceedings for the purpose of the physical hearing of the substantive matter will terribly affect the Petitioner/Respondent’s means of livelihood in the United Kingdom.
 - f. That it is necessary that he be heard virtually in an accelerated manner and allowed to participate in the virtual proceedings in respect of the above suit vide Zoom, or any other virtual platform as may be directed by this Honourable Court which participation will be from United Kingdom.
 - g. That he is desirous to be led in evidence and be cross-examined in respect of the above suit vide Zoom, or any other remote/virtual hearing platform in an accelerated manner as may be allowed by this Honourable Court for the quick dispensation of justice in the matter.
 - h. That granting the application will not be prejudicial to the case as the Respondent will also have the opportunity to participate and be heard in the matter vide the virtual proceedings as well.
6. That I depose to the facts in this affidavit on oath in good faith believing same to be true and correct in accordance with the oaths law currently in force in Nigeria.

.....

D E P O N E N T

Sworn to at the High Court Registry, Anambra State,

This day of 2024.

BEFORE ME

COMMISSIONER FOR OATHS

SAMPLE MOTION. REVERSAL OF FUNDS

IN THE MAGISTRATE COURT OF ANAMBRA STATE OF NIGERIA
IN THE AWKA MAGISTERIAL DIVISION
HOLDEN AT AMAWBIA

SUIT

NO:.....

BETWEEN

DR **APPLICANT**

AND

..... **RESPONDENTS**

EXPARTE:

MOTION

BROUGHT PURSUANT TO OF THE
MAGISTRATE COURT (CIVIL PROCEDURE) RULES AND UNDER THE
INHERENT JURISDICTION OF THIS HONOURABLE COURT

TAKE NOTICE that this Court shall be moved on the Day of, 2023 at the hour of 9 o'clock in the forenoon or so soon thereafter as counsel to the Applicant shall be heard praying this Honourable Court for the following;

1. AN ORDER of this Court directing the reversal of the sum of Forty-Six Thousand (46,000) Naira only to the account of the Applicant, Dr., being funds erroneously transferred to one Mary Samuel.

ANY OTHER ORDER(S) as this Court may deem fit to make in this circumstance.

Dated this..... day of 2023

.....
Name of Plaintiff's Counsel
(Counsel to the Applicant)
(Address and Phone Number of Plaintiff's Counsel)

IN THE MAGISTRATE COURT OF ANAMBRA STATE OF NIGERIA
IN THE AWKA MAGISTERIAL DIVISION
HOLDEN AT AMAWBIA

SUIT

NO:.....

BETWEEN

DR APPLICANT

AND

..... RESPONDENTS

AFFIDAVIT IN SUPPORT OF THE MOTION

I, Dr., Male, Adult and resident at
Hospital, Anambra State, do hereby make oath and state as follows;

1. I am the Applicant on record.
2. I am conversant with the facts of this case.
3. The facts that I depose to, are facts within my personal knowledge and which to the best of my knowledge are true.
4. I am a Medical Doctor and a medical officer at the Anambra State. A copy of my National Identification Number Slip is hereby attached and marked Exhibit "A"
5. I maintain a savings Account with First Bank of Nigeria Plc with Account No:
6. On the, I visited the Federal Road Safety Office at Onitsha in order to apply for the revalidation of my car papers and subsequently pay the processing fee.
7. I met an officer of the Corps and she proceeded to give me an account number which I'm to pay the processing fee into.
8. I made an online inter-bank transfer and upon downloading my e-receipt, I realized that I had mistakenly transferred the money into a wrong account.
9. I discovered that I had mistakenly transferred the sum of Forty-Six Thousand Naira only into the bank account with the following details;

Account Name: Account

Number:..... Bank:

.....

A copy of the electronic transfer receipt is hereby attached and marked **Exhibit “B”**.

10. I immediately proceeded to my bank, First Bank of Nigeria Plc to report the erroneous transfer. My complaint was lodged into the system and I was subsequently referred to United Bank for Africa Plc.
11. I went to United Bank of Africa Plc and I was given the beneficiary's phone number to call her and ask her to refund the money.
12. I called the beneficiary a number of times and sent her messages but she did not respond.
13. I was advised by the bank officials at the United Bank of Africa Plc to secure a court Order to enable them effect the reversal.
14. I make this application in order to effect a reversal of the Forty-Six Thousand (N46,000) Naira only, which was erroneously transferred to Mary Samuel with Account Number and domiciled with the
15. I, Dr., hereby state that the facts deposed to in this affidavit are true and correct and in accordance with the provisions of the Oaths Act.

.....

DEPONENT

SWORN TO at the Magistrate Court Registry,

This day of, 2025.

BEFORE ME

.....

COMMISSIONER FOR OATHS



AFFIDAVITS



IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA
IN THE AWKA JUDICIAL DIVISION
HOLDEN AT AWKA

AFFIDAVIT OF FACTS

I, Female, Christian, Nigerian and resident at Anambra State do hereby make oath and state as follows;

1. I am the deponent in this affidavit
2. The facts deposed to in this affidavit are facts within my personal knowledge and to the best of my knowledge, true and correct.
3. I retired as a Director of from the Anambra State.
4. I do not have the original copy of my First School Leaving Certificate (FSLC).
5. I lost the original copy of my First School Leaving Certificate (FSLC) when I encountered a fire incident at my home years ago.
6. I have made efforts to get another copy and all proved abortive.
7. I depose to this affidavit to serve as a replacement to my First School leaving Certificate (FSLC) which I lost to a fire incident in my home.
8. This affidavit is made for the purpose of record keeping and for the general public.
9. I make this affidavit in good conscience, believing same to be true, correct and in accordance with the provisions of the Oaths Act.

.....
DEPONENT

Sworn at the High Court Registry,
Awka, this Day of January, 2025

BEFORE ME

.....
COMMISSIONER FOR OATHS

IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA
IN THE AWKA JUDICIAL DIVISION
HOLDEN AT AWKA

AFFIDAVIT OF FACTS

I, Aniebet E. Usman, Female, Legal Practitioner, Christian, Nigerian and resident at Awka, Anambra State do hereby make oath and state as follows;

1. I am the deponent in this affidavit
 2. The facts deposed to in this affidavit are facts within my personal knowledge and to the best of my knowledge, true and correct.
 3. I am a associate Counsel in the Law Firm of situate at
 4. I am the registered user of the MTN Telephone Number:
 5. On the Day of February, 2022, I attended in Anambra State and in the process, lost my Mobile Phone to Theft.
 6. I made several calls to my telephone number:..... to appeal to the person to return same but all efforts were to no avail.
 7. I intend to purchase a Welcome Back Pack a the MTN Service Center in order to continue the usage of my Telephone Number:.....
 8. I depose to this affidavit for record-keeping and for the general public.
 9. I make this affidavit in good conscience, believing same to be true, correct and in accordance with the provisions of the Oaths Act.

DEPONENT

Sworn at the High Court Registry,
Awka, this Day of March, 2022

BEFORE ME

.....
COMMISSIONER FOR OATHS