

12:29pm
19/12/2025

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

SUIT NO:

FHC/ABJ/CS/2748/2025

BETWEEN:

INCORPORATED TRUSTEES OF THE
ASSOCIATION OF LEGISLATIVE DRAFTING.....PLAINTIFF
AND ADVOCACY PRACTITIONERS (ALDRAP)
AND

THE INCORPORATED TRUSTEES OF
THE NIGERIAN BAR ASSOCIATION (NBA)..... DEFENDANT

ORIGINATING SUMMONS

**BROUGHT PURSUANT TO ORDER 3 RULES 6-9 OF THE FEDERAL HIGH
COURT (CIVIL PROCEDURE) RULES, 2019; AND UNDER THE INHERENT
JURISDICTION OF THIS HONOURABLE COURT.**

RELIEFS SOUGHT

The Plaintiff/Applicant respectfully seeks the determination of the following questions and the grant of the reliefs consequential thereto.

QUESTIONS FOR DETERMINATION

1. Whether the NBA Institute of Continuing Legal Education (NBA-ICLE), having operated since 2007 without registration or incorporation with the Corporate Affairs Commission under the Companies and Allied Matters Act, 2020 (and preceding enactments), is a legally recognised juristic entity capable of operating in Nigeria.
2. Whether the operation of the NBA-ICLE as a training and certification body issuing vocational and professional certificates to Nigerian lawyers and law-based organisations without obtaining a licence from the National Board for Technical and Vocational Education (NBTVE) contravenes Section 5 of the National Board for Technical and Vocational Education Act, 1977 (as amended in 1993).
3. Whether the continued use of the name "NBA Institute of Continuing Legal Education" is misleading, deceptive, unlawful and contrary to the Companies and Allied Matters Act, 2020, considering that the said Institute is not incorporated

or registered with the Corporate Affairs Commission.

4. Whether certificates issued by the NBA-ICLE are legally valid and enforceable, having regard to its non-registration and non-licensing status under the National Board for Technical and Vocational Education Act.
5. Whether the Plaintiff, having paid ₦150,000 annually for eight (8) years (2017–2024) as a purported Continuing Legal Education (CLE) Provider to the NBA-ICLE, is entitled to a refund of ₦1,200,000 being monies paid under an illegal and void regulatory arrangement.
6. Whether the Defendant, through the NBA-ICLE, is liable to refund all monies collected from Nigerian lawyers nationwide since 2007 under the Mandatory Continuing Legal Education programme, same having been collected without statutory authority and in violation of extant laws.

RELIEFS SOUGHT

WHEREFORE the Plaintiff/Applicant seeks the following orders:

1. **A DECLARATION** that the operation of the NBA Institute of Continuing Legal Education (NBA-ICLE) since 2007 without incorporation with the Corporate Affairs Commission is illegal, unlawful, null and void.
2. **A DECLARATION** that the NBA-ICLE's operation as a vocational and professional training institution without a licence from the National Board for Technical and Vocational Education is a direct violation of Section 5 of the National Board for Technical and Vocational Education Act.
3. **A DECLARATION** that the name "NBA Institute of Continuing Legal Education" is misleading, deceptive and unlawful, same not having been registered or incorporated under the Companies and Allied Matters Act, 2020.
4. **A DECLARATION** that all certificates issued by the NBA-ICLE are legally defective, unenforceable and issued without statutory authority, having regard to its non-registration and non-licensing status.
5. **AN ORDER OF PERPETUAL INJUNCTION** restraining the Defendant, whether by itself, agents, servants, committees or privies, from further operating, managing or holding out the NBA-ICLE as a Continuing Legal Education or certification body in Nigeria.
6. **AN ORDER** directing the Defendant to shut down the NBA Institute of Continuing Legal Education forthwith.
7. **AN ORDER** compelling the Defendant to refund to the Plaintiff the sum of ₦1,200,000 (One Million, Two Hundred Thousand Naira) being ₦150,000 per annum paid for eight (8) years (2017–2024) as CLE Provider fees to the NBA-ICLE.

8. **AN ORDER** compelling the Defendant to refund all monies illegally collected from Nigerian lawyers since 2007 under the Mandatory Continuing Legal Education programme operated by the NBA-ICLE.
9. **AN ORDER** directing the Defendant to render a full account of all monies collected through the NBA-ICLE from 2007 to date.
10. **AN ORDER** of this Honourable Court nullifying all regulatory directives, accreditations and certifications issued by the NBA-ICLE.
11. **AND FOR SUCH FURTHER OR OTHER ORDERS** as this Honourable Court may deem fit to make in the circumstances.

GROUND UPON WHICH THIS ACTION IS BROUGHT

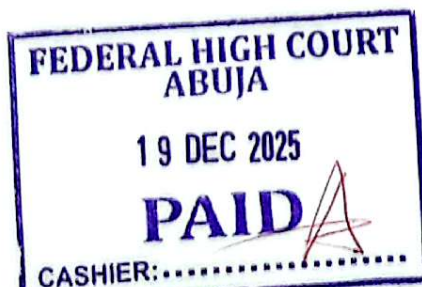
1. The NBA-ICLE has operated continuously since 2007 without incorporation or registration with the Corporate Affairs Commission.
2. It has issued vocational and professional certificates without statutory licensing by NBTVE.
3. The NBA-ICLE has collected fees from Nigerian lawyers and professional bodies without legal authority.
4. The Plaintiff has suffered financial loss by paying annual fees under an illegal framework.
5. The issues raised involve interpretation and enforcement of federal statutes within the exclusive jurisdiction of the Federal High Court.

Dated this 19th day of December 2025



CHIEF DR EBOSETALE DAVID AIGBEFOH ESQ
DAVID AIGBEFOH AND CO
LEX DOMINUS CHAMBERS
SUITE M12, TONSJOS SHOPPING MALL
OPPOSITE FIRST BANK PLC, ZUBA Abuja FCT.
07034971817
davidaigbefoh@nigerianbar.ng

FOR SERVICE ON:
NBA HOUSE PLOT 1101
MOHAMMADU BUHARI WAY
CBD, FCT ABUJA.



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INCORPORATED TRUSTEES OF THE

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AND ADVOCACY PRACTITIONERS (ALDRAP)

AND

THE INCORPORATED TRUSTEES OF
THE NIGERIAN BAR ASSOCIATION (NBA)..... DEFENDANT

AFFIDAVIT IN SUPPORT OF ORIGINATING SUMMONS

I, Jesse Williams Amuga, Male, Nigerian, Legal Practitioner, and Administrative Secretary of the Association of Legislative Drafting and Advocacy Practitioners (ALDRAP), of Suit 1.39 House of Representatives, National Assembly, Abuja, Federal Capital Territory, do hereby make oath and state as follows:

1. That I am the Administrative Secretary of the Plaintiff/Applicant, the Association of Legislative Drafting and Advocacy Practitioners (ALDRAP), and by virtue of my office and responsibilities, I am familiar with the facts and circumstances giving rise to this suit.
2. That I have the authority and consent of the Plaintiff to depose to this affidavit on its behalf.
3. That the facts deposed to herein are derived from my personal knowledge, official records of the Plaintiff, and information obtained in the course of my official duties, which I verily believe to be true and correct.
4. That the Plaintiff is a professional association of legal practitioners and legislative drafting experts involved in legal training, advocacy, research, and capacity development.
5. That the Defendant is the Incorporated Trustees of the Nigerian Bar Association (NBA), a body corporate registered under Part F of the Companies and Allied Matters Act.
6. That the Defendant operates a body known as the NBA Institute of Continuing Legal Education (NBA-ICLE), which has functioned since the year 2007 as a Continuing Legal Education and certification body for Nigerian lawyers.

7. That the NBA-ICLE has continuously issued certificates, granted accreditations, collected annual fees, and regulated Continuing Legal Education (CLE) activities of Nigerian lawyers and law-based organisations nationwide.
8. That at all material times, the NBA-ICLE has held itself out as a statutory and regulatory body responsible for Mandatory Continuing Legal Education programmes in Nigeria.
9. That despite operating for over seventeen (17) years, the NBA-ICLE is not incorporated nor registered with the Corporate Affairs Commission (CAC) under the Companies and Allied Matters Act, 2020 or any previous enactment.
10. That diligent searches conducted by the Plaintiff at the Corporate Affairs Commission revealed that no entity known as "NBA Institute of Continuing Legal Education" is registered or incorporated.
11. That the NBA-ICLE operates as a training, vocational, and professional certification institution, issuing certificates to lawyers and law-based organisations for Continuing Legal Education programmes.
12. That under Section 5 of the National Board for Technical and Vocational Education Act, 1977 (as amended in 1993), no institution shall operate or issue vocational certificates without a licence from the National Board for Technical and Vocational Education (NBTVE).
13. That the NBA-ICLE has never obtained any licence, approval, or accreditation from the National Board for Technical and Vocational Education.
14. That the Plaintiff is not aware of any statutory exemption granted to the NBA-ICLE from compliance with the NBTVE Act.
16. That the name "NBA Institute of Continuing Legal Education" is misleading and deceptive as it gives the false impression of being a duly incorporated and statutorily recognised institute.
17. That the continued use of the said name violates the Companies and Allied Matters Act, 2020, which mandates registration of entities carrying on institutional and commercial activities.
18. That between the years 2017 and 2024, the Plaintiff applied for and was compelled to register annually as a Continuing Legal Education (CLE) Provider with the NBA-ICLE and payment thereof. A copy of the appointment and renewal is hereby marked as **Exhibit ALDRAP 1 and 2** respectively.
19. That the Plaintiff paid the sum of ₦150,000 (One Hundred and Fifty Thousand Naira) annually to the NBA-ICLE for a period of eight (8) years, amounting to a total of ₦1,200,000 (One Million, Two Hundred Thousand Naira).
20. That the Plaintiff made the said payments under the belief that the NBA-ICLE was a legally constituted and statutorily authorised body.
21. That the Plaintiff would not have made the said payments had it known that the NBA-ICLE was operating illegally and without statutory authority.
23. That since the year 2007, the NBA-ICLE has collected substantial sums of money from Nigerian lawyers nationwide under the guise of Mandatory Continuing Legal Education programmes.



24. That the said collections were made without lawful authority, regulatory licence, or statutory backing.
25. That Nigerian lawyers have been subjected to sanctions, denial of practice privileges, and other disadvantages for alleged non-compliance with NBA-ICLE directives.
26. That the actions of the Defendant, through the NBA-ICLE, constitute illegality, regulatory abuse, and unjust enrichment.
27. That unless restrained by this Honourable Court, the Defendant will continue to operate the NBA-ICLE unlawfully and collect monies from Nigerian lawyers.
28. That it is in the interest of justice, legality, and the rule of law for this Honourable Court to intervene.
29. That this suit is brought in good faith, in the public interest, and not for any improper or collateral purpose.
30. That I depose to this affidavit conscientiously believing the contents herein to be true and correct, in accordance with the Oaths Act.


DEPONENT

SWORN TO AT THE FEDERAL HIGH COURT REGISTRY, ABUJA

This 14th day of December 2025

BEFORE ME:
COMMISSIONER FOR OATHS
FEDERAL HIGH COURT
ABUJA
SIGN: 
DATE: 19 Dec 2025
COMMISSIONER FOR OATHS

FEDERAL HIGH COURT
ABUJA
19 DEC 2025
PAID 
CASHIER: 

2613 9714 7977



NIGERIAN BAR ASSOCIATION

NATIONAL SECRETARIAT Plot 1101, Cadastral Zone A00, Central Business District, Abuja. T: +234 9 291 3832
www.nigerianbar.org.ng

REF: ICLE/SP/ALDRAP/01

15 September, 2017

The Secretary
Association of Legislative Drafters and Advocacy
Practitioners of Nigeria
House No. 48,41 Crescent
Off 4th Avenue, Gwarinpa
Housing Estate, Abuja.



Dear Sir,

APPOINTMENT AS AN ACCREDITED MANDATORY CONTINUING LEGAL EDUCATION PROVIDER

We hereby convey to your organization the approval of the Board of Mandatory Continuing Legal Education (MCLE) of the Nigerian Bar Association (NBA) of a Provisional Accreditation as a Service Provider for the MCLE programme of the NBA.

Please note that as a Service Provider within 2 weeks from the date of this letter, you are expected to pay the sum of N100,000.00 (One Hundred Thousand Naira) for registration. Please be informed that a renewal of registration shall be made at the expiration of two years on payment of a prescribed fee subject to accreditation standing.

Note also that the Board may withhold accreditation or limit hours for any course found not to meet standards, and may revoke accreditation for any organization which is found not to comply with standards.

Immediately on registration, we expect your application for approval of comprehensive courses for the duration of at least one year. Note that you would be expected to pay over to the institute 15% of the sum of money paid as fees by each participant.

NATIONAL OFFICERS:

the report must comply with the MCI's Rules and Guidelines and Regulations of the program or framework.

Account for the following:

Account for the following:

Account for the following:

Account for the following:

Account for the following:



NIGERIAN BAR ASSOCIATION

NATIONAL SECRETARIAT Plot 1102, Muhammed Buhari Way, Cadastral Zone A00, Central Business District, Abuja Nigerian Tel: +234 800 333 1111
www.nigerianbar.org.ng

25th April, 2023

Dr. Tonye Clinton Jaja

The Secretary

Association of Legislative Drafting and Advocacy Practitioners-ALDRAP

Suite 1.39 House of Representatives wing

National Assembly, Abuja,

Federal Capital Territory

Dear Sir,

RE: RENEWAL FOR NBA ICLE ACCREDITATION AS A SERVICE PROVIDER

The above subject refers:

We appreciate the interest of Association of Legislative Drafters and Advocacy Practitioners of Nigeria, (ALDRAP) to renew their accreditation to be an accredited service provider of the NBA-ICLE in a mail dated 21st April, 2023.

Please be informed that the NBA-ICLE serves as a regulatory body to ensure that lawyers enrolled to practice law in Nigeria remain current regarding the requisite knowledge and skills necessary to fulfill their professional responsibilities and obligations of their respective practices and thereby improve the standards of the profession generally. This is achieved through accredited course offered by the Institute Service providers.

However, the Institute has requirements /standards for any Institution, Organization to be its accredited service provider as provided in Rule 3 of the MCLE Guidelines. Interested eligible Company/Firm/Institution wishing to be accredited as an MCLE Provider is to obtain an application form from the office of the Nigerian Bar Association, Institute of Continuing Legal Education, Plot 1101, Muhammed Buhari Way, Cadastral Zone A00, Central Business District, Abuja or visit the NBA website- www.nigerianbar.org.ng.

The completed application form should be submitted to the **Nigerian Bar Association, Institute of Continuing Legal Education, Plot 1101, Muhammed Buhari Way, Cadastral Zone A00, Central Business District, Abuja** with 12 copies of a bound document containing the following:

- (a) Photocopy of certificate of incorporation where applicable;
- (b) Detailed profile of the company including information on Board of Directors;
- (c) Detailed curriculum vitae of staff of the organisation;
- (d) Copies of degree, Bar qualifying certificate and current practicing licence of at least one member, or director, or partner, or trustee of the applicant;
- (e) Copies of teller or receipt of practicing fees paid by at least one member, or director, or partner, or trustee of the applicant for the year of application and two years preceding it;
- (f) Details of courses; their duration in half hour or hour units and the mode of instruction for the CLE in accordance with the MCLE Rules.
- (g) A schedule of fees to be charged for the courses;
- (h) Evidence of payment of a non-refundable fee of ₦50,000.00, Account Name: NBA-ICLE, Account Number-0024592933, Account Name: NBA-ICLE



NATIONAL OFFICERS:

Yakubu Chonoko Maikyau, OON, SAN President

Adesina Adegbite, FICMC, General Secretary; Linda R. Bala (Mrs), 1st Vice President; Chukwuemeka Clement Ugo, 2nd Vice President; Amanda Ego Demechi-Asagba, 3rd Vice President; Caroline Ladidi Anze Bishop, Treasurer; Chinyere Gladys Obasi, Welfare Secretary; Akorede Habeeb Lawal, Publicity Secretary; Daniel K. Kip, Assistant Secretary; Charles Ajiboye, FICMC, FCAI, ACIS Assistant Publicity Secretary



NIGERIAN BAR ASSOCIATION

NATIONAL SECRETARIAT: Plot 1102, Muhammed Buhari Way, Cadastral Zone A00, Central Business District, Abuja Nigerian Tel: +234 800 333 1111
www.nigerianbar.org.ng

The ALDRAP is also expected to fulfil the following conditions stated below:

1. Payment of Four Hundred Thousand Naira (N400, 000:00) only as registration fees to NBA-ICLE account No. 0024592933 GTBank thereafter the scanned copies of the tellers will be forwarded to this email: - icle@nigerianbar.org.ng . Note that the registration fee is renewable at the expiration of two years on payment of the prescribed fee.
2. Send a comprehensive course for one (1) year to: icle@nigerianbar.org.ng for approval.
3. Cater for one (1) representative of the NBA- ICLE to monitor and evaluate each program.
4. Remit fifteen percent (15%) of fees paid by participants to the NBA – ICLE accounts.
5. ALDRAP is responsible for the expenses of the representative of the NBA-ICLE for monitoring and evaluation of the workshop /training/ summit/ conference as follows: Monitoring and Evaluation Fees is N10,000:00 daily.

Please find attached the MCLE ADDITIONAL GUIDELINES and SERVICE PROVIDERS FORM.

For further inquiries, please contact Institute of Continuing Legal Education on icle@nigerianbar.org.ng or Sarah vide sarah.ajijola@nigerianbar.org.ng/ 08039177886.

Accept the assurance of our professional regards.

Yours faithfully,

Ajijola S.O Esq

For: Nigerian Bar Association Institute of Continuing Legal Education

NATIONAL OFFICERS:

Yakubu Chonoko Maikyau, OON, SAN President

Adesina Adegbite, FICMC, General Secretary; Linda R. Bala (Mrs), 1st Vice President; Chukwuemeka Clement Ugo, 2nd Vice President; Amanda Ego Demechi-Asagba, 3rd Vice President; Caroline Ladidi Anze-Bishop, Treasurer; Chinyere Gladys Obasi, Welfare Secretary; Akorede Habeeb Lawal, Publicity Secretary; Daniel K. Kip, Assistant Secretary; Charles Ajiboye, FICMC, FCAI, ACIS Assistant Publicity Secretary

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THE INCORPORATED TRUSTEES OF

THE NIGERIAN BAR ASSOCIATION (NBA)..... DEFENDANT

AFFIDAVIT OF NON-MULTIPLICITY OF SUITS

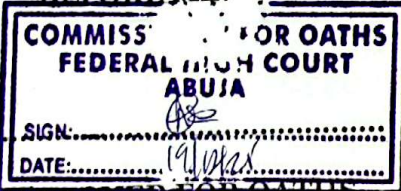
I, Jesse Williams Amuga, Male, Nigerian, Legal Practitioner, and Administrative Secretary of the Association of Legislative Drafting and Advocacy Practitioners (ALDRAP), of Suit 1.39 House of Representatives, National Assembly, Abuja, Federal Capital Territory, do hereby make oath and state as follows:

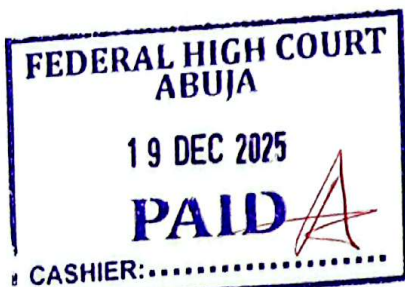
1. That I am the Administrative Secretary of the Plaintiff/Applicant in this suit and by virtue of my position, I am conversant with the facts and circumstances of this case.
2. That I have the authority and consent of the Plaintiff/Applicant to depose to this affidavit.
3. That the Plaintiff/Applicant has instituted this action against the Defendant/Respondent at the Federal High Court challenging the legality of the operations of the **NBA Institute of Continuing Legal Education (NBA-ICLE)**.
4. That **to the best of my knowledge, information and belief**, the Plaintiff/Applicant **has not filed any other suit** before any court or tribunal in Nigeria involving:
 - the same parties, or
 - the same subject matter; or
 - the same issues for determination as contained in the present suit.

5. That there is **no suit pending** before any court of competent jurisdiction in Nigeria between the Plaintiff/Applicant and the Defendant/Respondent in respect of the matters forming the subject of this action.
6. That the Plaintiff/Applicant has **not withdrawn, discontinued or abandoned** any previous suit involving the same parties and issues as those raised in this action.
7. That this suit is **not an abuse of court process** and has been commenced in good faith for the purpose of ventilating genuine legal grievances.
8. That this affidavit is deposed to in compliance with the requirements of the **Federal High Court (Civil Procedure) Rules, 2019** and for the purpose of satisfying this Honourable Court that there is **no multiplicity of suits**.
9. That I depose to this affidavit **conscientiously believing the contents herein to be true and correct**, in accordance with the Oaths Act.


DEPONENT

SWORN TO AT THE FEDERAL HIGH COURT REGISTRY, ABUJA
This 19th day of December 2025

BEFORE ME:

SIGN:
DATE:
COMMISSIONER FOR OATHS


FEDERAL HIGH COURT
ABUJA
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WRITTEN ADDRESS IN SUPPORT OF ORIGINATING SUMMONS

1.0 INTRODUCTION

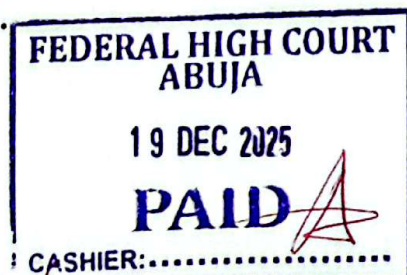
This Written Address is filed in support of the Plaintiff's Originating Summons seeking declaratory and injunctive reliefs against the Defendant in respect of the **unlawful operation of the NBA Institute of Continuing Legal Education (NBA-ICLE)**.

The facts are largely **undisputed**, documentary, and statutory, making this suit eminently suitable for determination by **Originating Summons**.

2.0 ISSUES FOR DETERMINATION

The Plaintiff respectfully submits the following issues for determination:

1. Whether the NBA Institute of Continuing Legal Education (NBA-ICLE), not being incorporated or registered with the Corporate Affairs Commission, is a legal entity capable of operating and issuing certificates in Nigeria.
2. Whether the operation of NBA-ICLE as a training and certification institution without a licence from the National Board for Technical and Vocational Education violates Section 5 of the NBTVE Act.
3. Whether the name "NBA Institute of Continuing Legal Education" is misleading and unlawful under the Companies and Allied Matters Act, 2020.



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4. Whether certificates issued and monies collected by NBA-ICLE since 2007 are legally valid.
5. Whether the Plaintiff is entitled to refunds and whether this Honourable Court can order restitution and perpetual injunction.

3.0 ARGUMENT OF ISSUES

ISSUE ONE

Whether the NBA-ICLE, not being incorporated, is a legal entity capable of operating in Nigeria

My Lord, it is settled law that **only natural persons and juristic persons recognised by law** can validly operate, sue or be sued.

Under the **Companies and Allied Matters Act, 2020**, anybody carrying on organised institutional, professional or commercial activities must be registered or incorporated.

There is no evidence that shows that the NBA-ICLE is or has been incorporated by the Corporate Affairs Commission:

- NBA-ICLE has **never been registered** with the Corporate Affairs Commission;
- Yet it has operated continuously since **2007**.

The Supreme Court has held that **an unregistered body has no legal personality**.

In **Fawehinmi v. Nigerian Bar Association (No. 2)** (1989) 2 NWLR (Pt.105) 558, the Court held that only entities recognised by law can exercise regulatory authority.

Similarly, in **Registered Trustees of the Airline Operators of Nigeria v. NAMA** (2014) 8 NWLR (Pt.1408) 1, the Court of Appeal held that:

"Any organisation exercising public or regulatory functions must trace its authority to law."

NBA-ICLE has traced its authority to **neither statute nor registration**.

The Plaintiff submits that NBA-ICLE is **legally non-existent** and incapable of lawful operation.

ISSUE TWO

Whether NBA-ICLE's operation violates Section 5 of the NBTVE Act

Section 5 of the **National Board for Technical and Vocational Education Act** expressly provides that:

No institution shall operate or award vocational certificates without accreditation or licence from the Board.

The uncontroverted affidavit evidence shows that:

- NBA-ICLE conducts training programmes;
- Issues certificates;
- Accredits CLE providers;
- Collects fees.

These are **vocational and professional education functions** squarely within the regulatory competence of NBTVE.

In **Attorney-General of the Federation v. Abubakar**
(2007) 10 NWLR (Pt.1041) 1, the Supreme Court held that:

“Where a statute prescribes a condition precedent for the exercise of a power, failure to comply renders the act void.”

NBA-ICLE's failure to obtain NBTVE licensing renders **all its activities illegal and void ab initio**.

ISSUE THREE

Whether the name “NBA Institute of Continuing Legal Education” is misleading

My Lord, the law frowns against **misrepresentation and deception through nomenclature**.

Sections **18 and 825** of the Companies and Allied Matters Act, 2020 prohibit entities from:

- Using names suggesting incorporation or institutional status when none exists;
- Holding out to the public a false legal identity.

In **Corporate Ideal Insurance Ltd v. Ajaokuta Steel Co. Ltd**
(2014) 7 NWLR (Pt.1405) 165, the Supreme Court held that:

“The law will not permit a body to benefit from a false legal cloak.”

The name “NBA Institute of Continuing Legal Education” conveys:

- Incorporation;
- Institutional legitimacy;
- Regulatory authority.

All of which **do not exist in law**.

The Plaintiff submits that the name is **misleading, unlawful, and deceptive.**

ISSUE FOUR

Whether certificates issued and monies collected are valid

It is trite that **you cannot put something on nothing and expect it to stand.**

See **Macfoy v. UAC Ltd**
(1962) AC 152.

Since NBA-ICLE:

- Lacks incorporation;
- Lacks statutory licensing;
- Lacks enabling legislation;

All certificates issued by it are **legally defective.**

In **A.G. Rivers State v. A.G. Akwa Ibom State**
(2011) 8 NWLR (Pt.1248) 31, the Supreme Court held:

“Acts done without legal authority are nullities, no matter how well conducted.”

Consequently, all monies collected under such illegality constitute **unjust enrichment.**

ISSUE FIVE

Whether the Plaintiff is entitled to refunds, restitution and injunction

My Lord, equity and law demand restitution where money is paid under an **illegal or void arrangement.**

In **Pan Bisbilder (Nig.) Ltd v. First Bank of Nigeria Ltd**
(2000) 1 NWLR (Pt.642) 684, the Supreme Court held that:

“Money paid under a mistake of law or pursuant to an illegal transaction is recoverable.”

The Plaintiff paid:

- ₦150,000 annually;
- For 8 years;
- Totaling ₦1,200,000.

Furthermore, courts possess inherent powers to **order refund, account, and injunction** to prevent continued illegality.

See **Military Gov. of Lagos State v. Ojukwu**
(1986) 1 NWLR (Pt.18) 621.

A **perpetual injunction** is appropriate where illegality is established and continuing.

4.0 JURISDICTION OF THE COURT

By **Section 251(1)(e) & (r)** of the Constitution, this Honourable Court has exclusive jurisdiction over:

- Matters involving federal statutes;
- Regulatory bodies;
- Interpretation of Acts of the National Assembly.

This Court is therefore properly seized of this matter.

5.0 CONCLUSION

My Lord, this case raises fundamental questions of:

- Rule of law;
- Regulatory compliance;
- Professional accountability;
- Protection of Nigerian lawyers and the public.

The Plaintiff has established its case **on affidavit evidence, statute and binding authority**.

We respectfully urge this Honourable Court to **resolve all issues in favour of the Plaintiff and grant all the reliefs sought**.

Dated this 19th day of December 2025



CHIEF DR. AMB. EBOSETALE DAVID AIGBEFOH ESQ
DAVID AIGBEFOH AND CO
LEX DOMINUS CHAMBERS
SUITE M12, TONSJOS SHOPPING MALL
OPPOSITE FIRST BANK PLC, ZUBA Abuja FCT.
07034971817
davidaigbepoh@nigerianbar.ng

FOR SERVICE ON:
NBA HOUSE PLOT 1101
MOHAMMADU BUHARI WAY
CBD, FCT ABUJA.

12:38 PM
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AND
THE INCORPORATED TRUSTEES OF
THE NIGERIAN BAR ASSOCIATION (NBA)..... DEFENDANT

MOTION EX-PARTE

BROUGHT PURSUANT TO AND UNDER THE INHERENT JURISDICTION
OF THIS HONOURABLE COURT.

TAKE NOTICE that this Honourable Court will be moved on the ____ day of
____ 2025, at the hour of 9 o'clock in the forenoon or so soon thereafter as
counsel may be heard on behalf of the Applicant praying this Honourable Court for the
following orders:

RELIEFS SOUGHT

1. **AN ORDER OF INTERIM INJUNCTION** restraining the Defendant/Respondent, whether by itself, officers, agents, committees, privies or howsoever described, from **issuing, approving, validating or circulating any certificate, accreditation or Continuing Legal Education (CLE) document** in the name of the *NBA Institute of Continuing Legal Education (NBA-ICLE)* **pending the hearing and determination of the Motion on Notice/Substantive Suit** already filed before this Honourable Court.
2. **AND FOR SUCH FURTHER ORDER(S)** as this Honourable Court may deem fit to make in the circumstance.

GROUND(S) FOR THE APPLICATION

- a. The NBA-ICLE is alleged to be operating **without incorporation under the Companies and Allied Matters Act, 2020.**
- b. The NBA-ICLE is alleged to be issuing certificates **without statutory licence**

under the National Board for Technical and Vocational Education Act.

c. Certificates are continually being issued daily, thereby compounding the illegality complained of in the substantive suit.

d. The continued issuance of certificates will foist a fait accompli on this Honourable Court if not urgently restrained.

e. The Applicant has filed a **substantive action (Motion on Notice/Originating Summons)** raising serious triable issues.

f. The balance of convenience tilts in favour of preserving the res pending determination of the suit.

g. Damages will not be an adequate compensation for continued illegality.

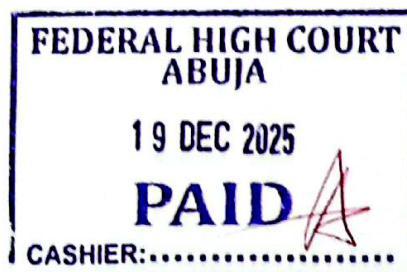
h. This application is made in **utmost good faith** and in the interest of justice.

Dated this 19th day of December, 2025



CHIEF DR EBOSETALE DAVID AIGBEFOH ESQ
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MIE - 200.-
OIG - 200.-
SIO - 100.-
WIM - 100.-
600.-



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19/12/2025

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

FHC/ABJ/CS/2748/25

SUIT NO



BETWEEN:

INCORPORATED TRUSTEES OF THE
ASSOCIATION OF LEGISLATIVE DRAFTING.....
AND ADVOCACY PRACTITIONERS (ALDRAP)
AND

THE INCORPORATED TRUSTEES OF
THE NIGERIAN BAR ASSOCIATION (NBA)..... DEFENDANT

AFFIDAVIT IN SUPPORT OF EX-PARTE MOTION

I, Jesse Williams Amuga, Male, Nigerian, Legal Practitioner, and Administrative Secretary of the Association of Legislative Drafting and Advocacy Practitioners (ALDRAP), of Suit 1.39 House of Representatives, National Assembly, Abuja, Federal Capital Territory, do hereby make oath and state as follows:

1. That I am the Administrative Secretary of the Plaintiff/Applicant and by virtue of my position I am conversant with the facts of this case.
2. That I have the authority of the Plaintiff to depose to this affidavit.
3. That the Plaintiff has instituted a substantive action against the Defendant challenging the legality of the **NBA Institute of Continuing Legal Education (NBA-ICLE)**.
4. That the substantive suit challenges, among others, the legality of:
 - the incorporation status of NBA-ICLE;
 - its statutory authority to issue certificates; and
 - Monies collected from Nigerian lawyers since 2007.
5. That notwithstanding the pendency of this suit, the NBA-ICLE **continues to issue certificates and accreditations** to Nigerian lawyers and organisations.
6. That if the Defendant is allowed to continue issuing certificates, the subject matter of this suit will be **irreversibly altered**.

7. That the continued issuance of certificates will:

- multiply illegal acts;
- mislead unsuspecting Nigerian lawyers; and
- Undermine the authority of this Honourable Court.

8. That damages will not be an adequate remedy for the injury occasioned by continued unlawful certification.

9. That there is **real urgency** in this application as certificates are issued on a continuous basis.

10. That the Plaintiff has filed a **Substantive Originating Summons**, which raises serious and substantial issues for trial.

11. That the balance of convenience favours the grant of this interim injunction.

12. That granting this application will not occasion any injustice to the Defendant, as it merely preserves the status quo.

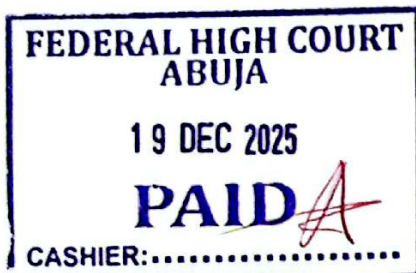
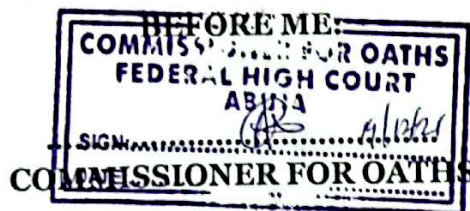
13. That this application is brought in good faith and in the interest of justice.

14. That I depose to this affidavit conscientiously believing the contents herein to be true and correct in accordance with the Oaths Act.


DEPONENT

SWORN TO AT THE FEDERAL HIGH COURT REGISTRY, ABUJA

This 19th day of December 2025



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19/12/2025

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

SUIT NO:

FHC/ABJ/C2/2748/25

BETWEEN:

INCORPORATED TRUSTEES OF THE

ASSOCIATION OF LEGISLATIVE DRAFTING..... PLAINTIFF

AND ADVOCACY PRACTITIONERS (ALDRAP)

AND

THE INCORPORATED TRUSTEES OF
THE NIGERIAN BAR ASSOCIATION (NBA)..... DEFENDANT

WRITTEN ADDRESS IN SUPPORT OF EX-PARTE MOTION

1.0 INTRODUCTION

May it please this Honourable Court.

This Written Address is filed in support of the Plaintiff/Applicant's **Ex-Parte Motion** seeking an **interim order of injunction** restraining the Defendant, through the **NBA Institute of Continuing Legal Education (NBA-ICLE)**, from issuing certificates or Continuing Legal Education (CLE) accreditations **pending the hearing and determination of the substantive suit / Motion on Notice** already before this Honourable Court.

The application is necessitated by **extreme urgency** and the need to **preserve the res** of this action.

2.0 ISSUE FOR DETERMINATION

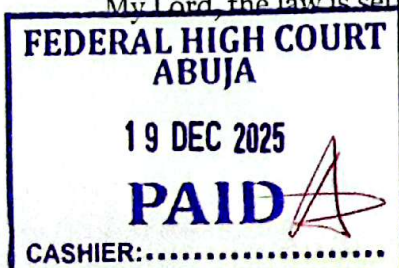
The Plaintiff respectfully submits a single issue for determination:

Whether, having regard to the facts and circumstances of this case, the Plaintiff/Applicant has made out a proper case for the grant of an interim injunction ex-parte restraining the Defendant from issuing certificates through the NBA-ICLE pending the determination of the substantive suit.

3.0 ARGUMENT

3.1 Legal Principles Governing Ex-Parte Injunctions

My Lord, the law is settled that an **ex-parte injunction** may be granted where:



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1. There is **real urgency**;
2. The **res or subject matter** of the suit is in danger of being destroyed or altered;
3. Delay will **defeat the ends of justice**; and
4. The applicant has disclosed **sufficient material facts**.

See:

- **Kotoye v. Central Bank of Nigeria** (1989) 1 NWLR (Pt. 98) 419 (SC)
- **Globe Fishing Industries Ltd v. Coker** (1990) 7 NWLR (Pt. 162) 265
- **Akapo v. Hakeem-Habeeb** (1992) 6 NWLR (Pt. 247) 266

In **Kotoye v. CBN (supra)**, the Supreme Court held:

“An ex-parte injunction is granted to preserve the res in a situation of real urgency where it would be impossible to put the respondent on notice.”

3.2 Existence of Real Urgency

My Lord, the affidavit evidence before the Court shows clearly that:

- The NBA-ICLE **continues to issue certificates and CLE accreditations** daily;
- Each certificate issued **multiplies the alleged illegality** complained of in the substantive suit;
- If not restrained, the Defendant will **foist a fait accompli** on this Honourable Court.

Urgency is therefore **not speculative but real and ongoing**.

In **Ojukwu v. Military Governor of Lagos State** (1986) 1 NWLR (Pt. 18) 621, the Supreme Court warned against allowing parties to take steps that would **render judicial proceedings nugatory**.

3.3 Preservation of the Res and Status Quo

The **res** in this suit is the **authority to issue Continuing Legal Education certificates**.

If the Defendant continues issuing certificates while the legality of its operations is being challenged:

- The res will be irreversibly altered;
- The substantive action will be reduced to an academic exercise.

The duty of the Court at this stage is to **preserve the status quo ante bellum**.

See **Globe Fishing Industries Ltd v. Coker (supra)**, where the Court held that interim injunctions are meant:

“To keep matters in status quo until the rights of the parties are determined.”

3.4 Serious Question to Be Tried

My Lord, the Plaintiff has already placed before this Court a **substantive suit** raising serious and substantial issues, including:

- Whether NBA-ICLE is a juristic entity;
- Whether it can issue certificates without statutory licensing;
- Whether monies collected under such scheme are lawful.

At this stage, the Court **need not decide the merits** of the case.

It is sufficient that there is a **serious question to be tried**.

See **Obeya Memorial Specialist Hospital v. Attorney-General of the Federation** (1987) 3 NWLR (Pt. 60) 325.

3.5 Balance of Convenience and Irreparable Damage

The balance of convenience tilts heavily in favour of the Applicant:

- Granting the order merely **halts further certification temporarily**;
- Refusing the order allows continued illegality and public deception.

Furthermore, damages cannot adequately compensate for:

- The proliferation of invalid certificates;
- The erosion of regulatory integrity;
- The undermining of the authority of this Honourable Court.

In **Akapo v. Hakeem-Habeeb** (supra), the Court held that where damages are inadequate, an injunction is the proper remedy.

3.6 Duty of Full Disclosure

My Lord, the Applicant has approached this Honourable Court **with clean hands**, made full disclosure of all material facts, and has already filed a **Motion on Notice** to be heard inter partes.

This satisfies the equity requirements for ex-parte relief.

4.0 CONCLUSION

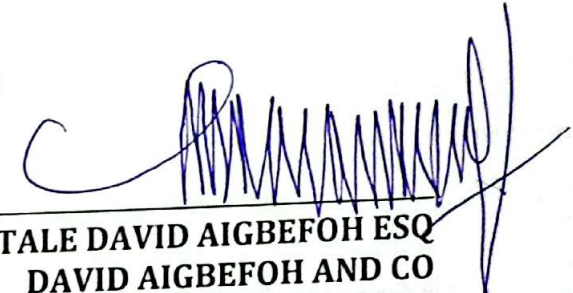
My Lord, this is a **proper case for the grant of an interim injunction ex-parte**.

The Applicant has demonstrated:

- Real urgency;
- A subsisting substantive action;
- Risk of irreparable harm;
- The need to preserve the res; and
- The overriding interest of justice.

We respectfully urge this Honourable Court to **grant the application as prayed.**

DATED THIS 19th DAY OF December 2025



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