

3<sup>rd</sup> June, 2016

## **PRESS RELEASE**

The National Judicial Council, under the Chairmanship of the Hon. Chief Justice of Nigeria, Hon. Justice Mahmud Mohammed, GCON, at its 76<sup>th</sup> Meeting which was held on 1<sup>st</sup> and 2<sup>nd</sup> June, 2016 recommended compulsory retirement from office of Hon. Justice B. T. Ebuta of the High Court of Justice, Cross River State with immediate effect.

2. Hon. Justice B. T. Ebuta was recommended for compulsory retirement from Office to the Governor of Cross River State, sequel to the findings by the Council on the allegations of abuse of Judicial power, suppression and illegal/forceful takeover of a property in Calabar as contained in the petition written against him by Dr. (Mrs) Ekanem Cobham who alleged:-

- That Hon. Justice B.T. Ebuta made an order based on Ex-parte Application without sitting in Court.
- That Hon. Justice B.T. Ebuta granted the said Ex-parte Application to unseal her property which was sealed on the order of a Magistrate Court when her tenant, Mr. Ugochukwu Chijioke failed to pay rent for two years. She stated that she filed Suit No MC/RT/12/6/14 at the Magistrate Court, Calabar against her tenant for failing to pay her rent and judgement was delivered in her favour on 10<sup>th</sup> November, 2014.
- That the Respondent filed an Ex-parte application in Suit No. MC/MSC/143/2014 before the Magistrate Court to unseal the property without her knowledge and that the Respondent's Counsel filed a similar application at the High Court. On getting to the High Court, she discovered that the Court did not sit.
- That she applied and paid for the Certified True Copy of the purported Record of Proceedings, but was told by the Court

Clerk that there was no sitting on that day, as claimed by the Judge.

- That her money was then returned to her and she reported this development to the Registrar of the Court.

Council investigated the allegations and found out that they were all true.

3. The allegation constitutes misconduct contrary to Section 292(1)(b) of the 1999 Constitution of the Federal Republic of Nigeria, as amended and Rules 1.3 and 3.5 of the 2016 Revised Code of Conduct for Judicial Officers of the Federal Republic of Nigeria.

4. In the meantime, the National Judicial Council has in the exercise of its disciplinary powers under the 1999 Constitution of the Federal Republic of Nigeria, as amended, suspended Hon. Justice B. T. Ebuta from office with immediate effect pending the approval of the recommendation of the Council for His Lordship's compulsory retirement by the Governor of Cross River State.

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