

# PRESS RELEASE

7 December 2023

- *NJC sacks one Judge for misconduct*
- *Empanels 12 Committees to investigate Judicial Officers*

The National Judicial Council under the Chairmanship of Hon. Justice Olukayode Ariwoola, GCON, at its 104<sup>th</sup> Meeting of 6 & 7 December 2023 has recommended the compulsory retirement of Hon. Justice S. O. Falola of Osun State High Court from the Bench.

The recommendation was made sequel to the findings of an Investigation Committee in a petition written against His Lordship by Mr Dapo Kolapo Olowo and Polaris Bank for granting a Garnishee Order Absolute against the Bank for the sum of **₦283,174,000.00 (Two Hundred and Eighty-Three Million, One Hundred and Seventy-Four Thousand Naira)** in a questionable and strange manner, and endorsement of the Order, attaching the account of the Garnishee with another garnishee and not the account of the

Judgment Debtor who had the legal obligation to pay the supposed judgement sum.

They found that the subject Judge misconducted himself by entertaining Suit No HIK/41/2018 when there was no evidence of a judgement of the Kwara State High Court before him, neither was there a Certificate of Registration of same in Osun State to confer jurisdiction on him.

It further found the conduct of the subject Judge travelling to Lagos to visit the Counsel of the Bank in his Chambers on the issue of Garnishee Proceedings, unbecoming of the standard expected of a Judicial Officer.

Consequently, Council resolved to recommend him to Governor Ademola Adeleke of Osun State for compulsory retirement with immediate effect.

Meanwhile, in the exercise of its disciplinary powers under the 1999 Constitution of the Federal Republic of Nigeria, as amended, the National Judicial Council has suspended Hon.

Justice S. O. Falola from office pending the approval of the recommendation of his compulsory retirement by the Osun State Governor.

Council considered the Reports of other Investigation Committees that had concluded their sittings, and dismissed the Petitions written against Hon. Justice Ekaete F. F. Obot, Chief Judge, Akwa Ibom State, Hon Justice Benson C. Anya of High Court Abia State, Hon. Justice Z. B. Abubakar of Federal High Court, Hon Justice Opufaa Ben-Whyte and Augusta Uche K. Chuku of the High Court of Rivers State, for being unmeritorious, or withdrawal of petition by the Petitioners.

However, Hon Justice A. I. Akobi of the High Court of the Federal Capital Territory is to be issued a letter of guidance to take proper charge and control of his Court.

The Plenary also considered the Report of its three Preliminary Complaints Assessment Committees on 51

fresh petitions written against Federal and State Judicial Officers and decided to constitute 11 Panels to investigate petitions that had merits and dismissed the remaining petitions for being *subjudice*, having been withdrawn, and the Subject Judges having retired from service.

Council also resolved to report A. A. Aribisala, SAN to Legal Practitioners' Privileges Committee (LPPC) for investigation and disciplinary action, for the unpalatable and derogatory remarks he made against a Judicial Officer and by extension, the NJC in his petition to the Council.

Council considered and declined the request of Governor Ademola Adeleke of Osun State requesting its permission to swear in the next Most Senior Judge in the State in acting capacity, following allegations levelled against Hon. Justice Adepele Ojo, Chief Judge, Osun State and the resolution of the State House of Assembly to suspend him.

The Council affirmed that Hon. Justice Ojo is still the recognised Chief Judge of Osun State, and would not work on the resolution of a State House of Assembly, as it is the only body constitutionally empowered to investigate Judicial Officers and recommend same for any action to the Governor. Consequently, Osun State should revert to status quo.

It also received notification of retirements of seven Judicial Officers and notification of deaths of six serving Judicial Officers of Federal and State Courts.

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