



PRESS STATEMENT: NCC Appeals Against Judgment of Federal High Court, Lagos

Dissatisfied by the ruling of Justice Ibrahim Buba of the Federal High Court, Lagos, that the Nigerian Communications Commission (NCC) should pay the sum of ₦500 million as damages to All Progressive Congress (APC), counsel to the NCC, Mr. Paul Usoro (SAN), has gone to the Court of Appeal to appeal against the judgment;

Citing eight grounds for the appeal, the Learned Counsel said he has the mandate of his client, the NCC, to appeal against the entire judgment.

The Learned Senior Advocate of Nigeria (SAN) averred that the trial judge erred in law when he dismissed the Appellant's Notice of Preliminary Objection of March 2, 2015, which challenged the competence of the suit on the grounds that same was unmeritorious;

He also said on ground two that the Learned Trial Judge erred in law when he held that the suit of the APC disclosed cause of action against the applicant. Usoro, in the Notice of Appeal noted that the trial court misdirected itself in law and fact when it held that the suit as constituted fell under the context of Chapter IV of the Constitution of the Federal Republic of Nigeria 1999 as amended, and not rooted in contract.

He explained in the notice of appeal that the trial court erred in law and occasioned a grave miscarriage of justice when it held that the first respondent has seemingly complained of discrimination by the appellant. The Notice of Appeal also said the Learned Trial Judge erred in law when he held that the appellant has indeed discriminated against the First Respondent when it granted the Goodluck/Sambo Presidential Campaign Organization in 2011 the right to use short codes and did not allow the first respondent same right in 2015.

Part of the Notice of Appeal is that the Trial Court erred in law when it invalidated the appellants' directive contained in its letter of January 19, 2015. Usoro said in the NCC's appeal that the Trial Court misdirected itself in law and on facts when it awarded N500 million as damages and compensation for First Respondent. That the judgment is against the weight of evidence and submissions before the Trial Court is a very good ground for its appeal.

The Appeal, filed on Tuesday March 24, 2015 at the Court of Appeal, Lagos seeks an order of the Court of Appeal allowing the Appeal and setting aside in its entirety the Judgment of the Trial Judge made on March 24, 2015 including the monetary damages of ₦500 million awarded in favor of First Respondent.