

**NIGERIAN INVESTMENT PROMOTION COMMISSION
COURT CASES FOR JANUARY 2021 TO MARCH 2021**

S/ N	Date Commenced	Parties	Cause of Action	Brief Fact	Relief Sought	Status
1	14-May-20	Hon. Ali Sani vs. NIPC & 2 Ors.	Alleged refusal to donate to the Governing Council, the powers delegated to the Executive Secretary by the Minister of Industry, Trade and Investment to execute and administer the Pioneer Status Incentive (PSI)	<p>1. The Plaintiff seeks that the powers to approve, decline and extend PSI delegated by the Honourable Minister of Industry, Trade and Investment to the Executive Secretary should be donated to the Governing Council.</p> <p>2. The Plaintiff also seeks that the Commission should refund all its Internally Generated Revenue (IGR), appropriated for and spent in 2018, 2019 and 2020 and desist from further spending its IGR.</p> <p>3. The Plaintiff seeks an Interlocutory Injunction restraining the Commission from spending its IGR appropriated and spent in 2018 and 2019.</p> <p>4. The Plaintiff seeks an Interlocutory Injunction restraining the Commission from spending its 2020 IGR approved and appropriated for expenditure.</p>	An Order allowing the Appeal and setting aside the Ruling/Judgement of the Federal High Court in favour of NIPC	<p>1. Ongoing at the Court of Appeal.</p> <p>2. The Matter came up on Monday 22 february 2021 for Hearing of the Appellant's Motion for injunction filed on 18 May 2020 before the Court of Appeal, Abuja. At the Hearing, the Appellant moved his Motion for Interlocutory injunction and urged the Court to set aside the Ruling of the lower Court and grant his prayer restraining NIPC.</p> <p>3. The Respondents Counsel opposed the Motion for injunction and urged the Court to dismiss the injunction and the Appeal with heavy cost against the Appellant.</p> <p>4. The Court dismissed the Appellant's request for an interlocutory injunction to restrain NIPC from continuing to spend its IGR.</p> <p>5. The substantive matter is still pending at the Court of Appeal.</p>
2	15-Mar-19	Auta Maisamari v. ES NIPC & 13 Ors.	Alleged breach of FOI Act	<p>1. The matter borders on request for information as regards the Foreign Leave Allowance approved by the Governing Council for the ES of NIPC (despite attaching same to the Processes).</p> <p>2. The legality of GC's approval of a Foreign Leave Allowance for the ES which had been paid to successive ES's since its approval on 17 August 2005.</p>	Refund of the Foreign Leave Allowance drawn by the ES in 2017 & 2018 and an Application for ES to step aside pending the determination of the Suit.	<p>1. Ongoing at the Federal High Court Abuja.</p> <p>2. The Court was notified on 24 November 2020 of the death of the Plaintiff who passed on 18 June 2020. The matter was adjourned to 27 January 2021 to enable the Plaintiff's office notify the Court and Parties in the Suit of his demise.</p> <p>3. The Court did not sit on the 27 January 2021 and the matter was adjourned to 18 March 2021 for Hearing.</p> <p>4. On 18 March 2021, the Court further adjourned the matter to 19 May 2021 for hearing of all pending applications.</p>
3	5-Mar-18	Pemo Farms vs. NCS, CBN, FIRS, MoF& NIPC	<p>1. Alleged wrongful custody of seized goods.</p> <p>2. No Cause of Action against NIPC.</p>	NSC imposed import duties on imported agricultural equipment by Pemo Farms contrary to 0% import duties by FG	Release of seized equipment by NCS and award of exemplary damages against NCS	
4	16-Dec-15	Midwestern Oil & Gas vs. NIPC & FIRS.	Alleged abridgement of the tenure of Pioneer Status from 5 to 3 years.	The initial grant of 5 straight years pioneer status term to the companies was later abridged to 3 years	A declaratory order that the action of NIPC & FIRS is unfair, though consistent with the provisions of Industrial Development (Income Tax Relief) Act.	<p>1. Ongoing at the Federal High Court</p> <p>2. The matter came up on the 04 February 2021 but the Court did not sit. It was further adjourned to 30 March 2021 to enable parties explore out of Court Settlement and continuation of Hearing.</p>
5	19-Dec-12	Hassan Oguche & 2 Ors. vs. NIPC	Purported wrongful disengagement from service	A claim by 3 non-staff members (Hassan Oguche, Charles Orafu and Blessing Ocholi) that they were unlawfully disengaged from the Commission.	An Order setting aside the Judgement of the Lower Court in favour of NIPC and extension of time to seek leave to appeal the Judgement.	Yet to commence at the Court of Appeal