



# The 2015 General Election in Nigeria COMPENDIUM OF PETITIONS



NIGERIA CIVIL SOCIETY SITUATION ROOM

2015 GENERAL ELECTION IN NIGERIA  
**COMPENDIUM OF  
PETITIONS**

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# ABBREVIATIONS

ACN	Action Congress of Nigeria
AD	Alliance for Democracy
ADC	African Democratic Congress
APC	All Progressives Congress
APGA	All Progressives Grand Alliance
ANPP	All Nigeria Peoples Party
CPC	Congress for Progressive Change
CPP	Citizens Popular Party
DPP	Democratic Peoples Party
FCT	Federal Capital Territory
INEC	Independent National Electoral Commission
LP	Labour Party
MPPP	Mega Progressive People Party
NCP	National Conscience Party
PDC	People for Democratic Change
PDM	Peoples Democratic Movement
PDP	Peoples Democratic Party
PPA	Progressive Peoples Alliance
PPN	Peoples Party of Nigeria
PU	Polling Units
PVCs	Permanent Voter Cards
SCRs	Smart Card Readers
SDP	Social Democratic Party
UPN	Unity Party of Nigeria

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# EXECUTIVE SUMMARY

This report is a study and critical analysis of Five Hundred and Sixty (560) post-2015 Election Petitions, which arose from the governorship and legislative assembly elections at the Federal and State levels. It reviews the reasons provided by the courts for their decisions on the petitions.

Part one of the report, Introduction, is an overview of the 2015 general election. It examines some of the activities before, during and after the elections. It focuses on issues such as the introduction of new guidelines and regulations by the Independent National Electoral Commission (INEC). These include the use of the Permanent Voters Cards (PVCs) and the Smart Card Readers (SCRs) for the authentication and accreditation of voters; the number of political parties and candidates that participated in the elections; the contributions of civil society organizations such as the Nigerian Civil Society Situation Room in observing the elections as well as the general outcome of the elections. The part also highlights a number of post-election issues.

Part two of the report, Election Petitions in Nigeria, reviews the formal aspects of election petitions in Nigeria. These include conditions precedent to filing election petitions, contents of an election petition, when to file a petition, who can file a petition, the grounds of an election petition and the standard required to prove the grounds and outcomes. It also looks at the constitution, jurisdiction and the proceedings at election tribunals.

Part three provides analysis on the 560 election petitions reviewed, including the nature of the election challenged, the number of cases challenging each type of election and the number of cases upheld, dismissed or struck out by Election Tribunals and Appellate courts. The Part also contains statistical tabulations of petitions filed by parties across the States and Federal Capital Territory and by Zones. It also reveals the number of appeals filed; including those allowed, dismissed or struck out.

Part four of the report is entitled "Petitions Arising from the 2015 General Election". It provides a synopsis of the Governorship, Federal Legislative and State Houses of Assembly election petitions arising from the post-2015 General Election across the 36 States in Nigeria including the FCT. It contains tabular format data of 11 elements of the election petitions reviewed: State, petitioner, party, respondent, grounds, Tribunal decision, reasons for the decisions, the Court of Appeal decisions, reasons for the Court of Appeal's decisions and Supreme Court's decision and reasons therefore.

Part five captures the issues that emanated from the judgments of the courts on the election cases. There is a focus on matters such as the conflicting views of the courts on the use of the Smart Card Reader device for accreditation and party primaries, as well as the decisions of the

Supreme Court on the issues respectively. It highlights some issues touching on the improper handling of election cases by legal practitioners; the hardships occasioned by compliance to the 180 days rule for the determination of petitions; adherence to procedural technicalities by election Tribunals and courts leading to the dismissal of many cases, and the burden of proving electoral malpractices. The Part also examined certain electoral violations committed by some officials of INEC and politicians respectively and concluded with a summary detail of the reasons adduced by the courts in dismissing or striking out some of the petitions.

The report is concluded with major findings and recommendations on how to further improve on the electoral process in Nigeria.

***PART***

**1**



# INTRODUCTION

Nigeria conducted general election in 2015, its fifth election since the country's return to constitutional democracy in 1999. The election was generally acclaimed by domestic and international observers as credible and a significant improvement on the 2011 election. The election was regarded as symbolic in Nigeria's political history for two major reasons; it marked the first time an opposition party would successfully defeat a ruling party at the federal level in an election, and also witnessed the deployment of technology in the voting process through the use of the PVCs and SCRs, which helped to improve the credibility of the process.

However, despite the positive developments and achievements recorded, there were some notable challenges. Some of these manifested in the nature of petitions arising from the conduct of the elections and the decisions reached by the courts on the cases. From records available, over 600 election cases were filed at the different election petition tribunals across the country by losers in the Governorship, Senatorial, House of Representatives and State Houses of Assembly elections.

The Nigeria Civil Society Situation Room played a critical role in the 2015 general election following its leading engagement with the country's electoral process before, during and after the elections. In addition to those roles it played, the Situation Room initiated this research, a compilation of court cases that arose out of the 2015 general election. The research provides important information and highlights on the nature, the pattern and the issues canvassed in the cases. It also provides benchmarks for tracking the number of election petitions in Nigeria, whether increasing or decreasing overtime, and lessons from the reasons advanced by the courts in their judgments.

The objective of this report is to serve as a rich resource for election management agencies and stakeholders including INEC, security agencies, political parties, media, Civil Society Organizations and others. We hope we could all learn lessons that will be useful in our efforts to reform and strengthen the electoral process in Nigeria.

## OVERVIEW OF THE 2015 GENERAL ELECTION

The timetable for the 2015 General Election was released on Friday, 24th January 2014 in compliance with Sections 76, 116, 132 and 178 of the 1999 Constitution of the Federal Republic of Nigeria (as amended). The sections stipulate that elections shall be held not earlier than 150 days and not later than 30 days to the end of the term of the last holder of the relevant elective office and before the legislative body stands dissolved, as the case may be. The timetable accommodated the series of activities recognized as conditions precedent for the elections such as the conduct of party primaries/congresses as well as the submission of the nominations of party candidates for the various elective positions.

Prior to the elections, the entire operational machinery for the conduct of the elections were reviewed by INEC and some far-reaching changes made. These included the introduction of new guidelines and regulations as well as the adoption of the Smart Card Readers for accreditation purposes on Election Day.

INEC received funding from two major sources for the conduct of the 2015 elections. The Commission received the total sum of ₦114, 058, 943, 747.48<sup>1</sup> (One Hundred and Fourteen Billion, Fifty Eight Million, Nine Hundred and Forty Three Thousand, Seven Hundred and Forty Seven Naira, Forty Eight Kobo). Out of this sum, ₦108, 851, 683, 313.93 (One Hundred and Eight Billion, Eight Hundred and Fifty One Million, Six Hundred and Eighty Three Thousand, Three Hundred and Thirteen Naira, Ninety Three Kobo) accrued from the Commission's 2014 - 2015 Budgetary Appropriations. The balance of ₦5, 207, 260, 433.55 (Five Billion, Two Hundred and Seven Million, Two Hundred and Sixty Thousand, Four Hundred and Thirty Three Naira, Fifty Five Kobo) was received as grants from Development Partners.<sup>2</sup> There was, however, no indication on how much was officially or unofficially spent by INEC to conduct the elections as at the time of this report going to press.

The 2015 general election in Nigeria took place on the 28<sup>th</sup> of March 2015 and 11<sup>th</sup> April 2015 for the Presidential and National Assembly Elections and the Governorship and State Houses of Assembly elections respectively. The elections were initially scheduled to hold on 14<sup>th</sup> and 28<sup>th</sup> February 2015 for the Presidential and National Assembly and for Governorship and State Assembly. The elections were rescheduled for six weeks following security concerns in some parts of the North-Eastern zone of the country that had suffered from the murderous activities of the Boko Haram insurgents.

Twenty-seven out of the 28 registered political parties participated in the elections, which were held in all the 119,973 polling units (PUs) across the 36 States and the FCT. A total of 14 political parties sponsored candidates for the Presidential Election and 26 each for the Governorship and National Assembly Elections. Overall, 371 candidates contested for the Governorship Elections, 746 for the Senatorial District Elections, 1,766 for the Federal Constituency elections, while 5,278 candidates contested for the State Assembly Elections.<sup>3</sup>

An estimated 68,833,476<sup>4</sup> eligible Nigerians were registered to vote in the elections. Out of this number, 56,460,968 (82.03%)<sup>5</sup> collected their PVCs. Only 31,746,490 were accredited nationwide to vote. The Presidential election results show that about 28.2 million people voted for the two leading political parties, the All Progressives Congress (APC) and the Peoples' Democratic Party (PDP).

1 *INEC 2015 General election Report, Page 050*

2 *ibid*

3 *ibid P. 057*

4 *ibid P.043*

5 *INEC 2015 General election Report p. 199*

INEC recruited over 700,000 ad-hoc staff for the conduct of the 2015 general election and accredited more than 100 domestic and international groups<sup>6</sup> to observe the elections, one of which was the Nigeria Civil Society Situation Room. Most of these observer groups gave positive verdicts on the conduct of the elections, with particular reference to the introduction of technology that enhanced the integrity of the process. The Situation Room, which was actively involved in observing the election, helped process real-time field reports that were fed to INEC and were vital in designing prompt interventions that addressed a number of issues before they escalated.

The two dominant political parties in the 2015 general election were the ruling PDP and then opposition APC. The latter emerged as a result of the merger of four political parties: the Action Congress of Nigeria (ACN), Congress for Progressive Change (CPC), All Nigeria Peoples Party (ANPP) and a fraction of the All Progressives Grand Alliance (APGA). The party got a boost when a major block from the PDP decamped and joined it.

In the end, it produced an upset; an opposition party, won the presidential seat and a significant number of the governorship seats across the country. It also won the majority of seats in the two chambers of the National Parliament. It was the first such victory in the history of elections in Nigeria.

There was relative peace in the build-up to the 2015 general election compared to some of the previous elections. However, many observers feared that there would be a possible outbreak of violence. This was as a result of the fierce mudslinging campaigns deeply rooted in ethnic and religious prejudices which members of the two major political parties engaged in. In the end, the 2015 general election held as re-scheduled with recorded pockets of violence across the country. The violence was most pronounced in the South-South region. They ranked very high on the list of the election related violence Nigeria had witnessed in the past.

One of the significant events of the 2015 general election was the signing of the peace agreement between the two candidates of the major political parties, former President Goodluck Jonathan and Muhammadu Buhari prior to the elections. This became imperative given the heightened fear of violence as a result of dispute arising from the election. The most fundamental and significant post-election event in 2015 was the concession and the spirit of sportsmanship exhibited by former President Goodluck Jonathan. This was the reason there were no presidential election petition in 2015.

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6 *ibid* p. 219



*PART*

**2**

# ELECTION PETITIONS IN NIGERIA

According to the Supreme Court, “elections are hardly ever conducted without some irregularities. No matter how well the regulatory authority conducts an election, there are complaints.”<sup>7</sup> These complaints, more often than not, leads to formal election petitions filed by losers who are unsatisfied about the outcome of the election. An election petition commences all actions instituted to challenge the result of an election in Nigeria<sup>8</sup> and the legal means used to dispute an alleged election irregularity by a candidate or party in an election. Generally, the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and the Electoral Act, 2010 (as amended) regulate the conduct of elections and election petitions in Nigeria. Nevertheless, there are other applicable laws including the Practice Direction of Election Appeals to the Supreme Court 2011, Election Tribunal and Court Practice Directions 2011, and INEC Manuals and Guidelines on Elections.

One important measure of democratic development is the number of post-election electoral disputations that ends up in court. The fewer the post-election petitions, the more consolidated a democracy is regarded.<sup>9</sup> Courts are hardly suitable for the resolution of electoral or political disputes. Politicians, in their desperation, would mostly seek to influence the normal course of the law.<sup>10</sup>

Since the return to civil rule in 1999, Nigeria’s electoral process has been fraught with rancor and protestations, often giving rise to a plethora of election petition cases. For instance, at the end of the 2003 elections, 560 petitions were filled; 1,290 petitions in 2007; 732 petitions in 2011; and 611 in 2015<sup>11</sup>. These records show a decline in the number of petitions from 2007, a probable sign of improving performance by the Election Management Body in the conduct of elections.

## CONDITIONS PRECEDENT FOR FILING AN ELECTION PETITION

An election must have been conducted before a petition can be presented and the complaints must be based on issues arising from the conduct of such an election.<sup>12</sup> Also, complaints, which are the grounds of such a petition, must be founded on what happened during and

7 *Okechukwu vs INEC* (2014) 17 NWLR (Pt. 1436) 259 at 309

8 Section 133(1), Electoral Act, 2010 (as amended)

9 INEC 2015 General Election Report P. 019

10 Prof. Yemi Akinseye-George, SAN: *The 2015 General Election in Nigeria: Compendium of Petitions* being a review delivered on 1<sup>st</sup> December 2015 at a Technical Experts Meeting on the Review of 2015 Election Petitions organized by PLAC at Ibeto Hotels, Abuja P.5

11 INEC 2015 General Election Report, P.079

12 S. 133(1), Electoral Act, 2010 (as amended)

after the election. An Election Tribunal has no jurisdiction to entertain matters which took place before the conduct of an election<sup>13</sup> as such matters are categorized as pre-election matters.<sup>14</sup> The Tribunals are also disqualified from entertaining intra-party matters.

The Electoral Act<sup>15</sup> listed four grounds on which an election may be challenged. They include:

1. That the person whose election is questioned was not qualified to contest.
2. That the election was marred by corrupt practices or non-compliance with the provisions of the Electoral Act.
3. That the candidate returned as the winner of an election did not score the majority of lawful votes.
4. That the Petitioner was unlawfully excluded from the election despite being validly nominated.<sup>16</sup>

In addition to the grounds listed above, a Petitioner is also required to state the facts relied on in challenging an election. However, he/she cannot create any other ground to challenge an election except the ones listed above.

## CONTENTS OF AN ELECTION PETITION

The law requires an election petition to be accompanied by:

- (a) A list of the witnesses that the petitioner intends to call in proof of the petition;
- (b) Written statements on oath of the witnesses; and
- (c) Copies or list of every document to be relied on at the hearing of the petition.<sup>17</sup>

A Respondent's reply or defence to a petition is to be accompanied by the documents listed above. Nonetheless, failure to file the petition with a list of witnesses would not be a ground for declaring the petition incompetent<sup>18</sup>.

Additionally, a petition must clearly set out the following:

1. Specify the parties interested in the election;
2. Specify the right of the petitioner to present the petition;
3. State the date on which the election was held, the scores of the candidates and the person returned as the winner of the said election, and
4. State clearly the facts of the election petition, the grounds on which the petition is based and the relief sought by the petitioner.<sup>19</sup>

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13 See *Ameachi v. INEC* (2008) 5 NWLR Pt. (1080) 227

14 *Jang vs Dariye* (2003) 15 NWLR (Pt. 843) 436

15 *Electoral Act, 2010 (as amended)*

16 *S. 138(1), Electoral Act, 2010 (as amended)*

17 *Paragraph 4 (5), First Schedule to the Electoral Act, ibid*

18 *INEC vs Iniana* (2008) 8 NWLR (Pt. 1088) 182

19 *Paragraph 4 (1), First Schedule to the Electoral Act, 2010 (as amended)*

A petition must be properly signed either by the Petitioner or his/her Solicitor.<sup>20</sup> It is the duty of the petitioner or his/her solicitor named at the foot of the petition to present the petition.

An election petition, which does not comply with the above listed requirements is deemed defective and may be struck out by the Tribunal or Court.<sup>21</sup>

## **PARTIES TO AN ELECTION PETITION**

The Electoral Act permits only a political party or a candidate who participated in an election to present a petition before a tribunal or court.<sup>22</sup> A person who is wrongfully excluded from contesting an election can also file a petition to challenge the exclusion.<sup>23</sup> The petitioner can join as respondents to the petition, the person whose election he/she is challenging, the electoral management body (INEC) and persons who are alleged to have committed criminal offences during the conduct of the election where such is the ground for contesting the outcome of the election.

## **TIME FOR FILING A PETITION**

An election petition is presented when it is filed in the proper court or tribunal prescribed by law and this include the payment of the required statutory fees.<sup>24</sup> The filing must also be done within the 21 days stipulated time frame in the 1999 Constitution<sup>25</sup> since the courts are expected to consider electoral matters expeditiously. There is no extension of time within which to file a petition and any petition filed outside this constitutional limit is incompetent and liable to be dismissed.

## **STANDARD OF PROOF IN ELECTION CASES**

As earlier stated, there are four grounds wherein a petitioner can challenge an election. He/she is expected to prove the grounds of his/her petition by enumerating relevant particulars, and lead cogent and credible evidence to establish the particulars. Generally, the onus of proof in election matters is on the petitioner. Different degree of proof is required for proving assertions made before an election tribunal. For example, since electoral offences are criminal in nature, all allegations of crime in a petition must be proved beyond reasonable doubt.

## **PROCEDURE FOR ELECTION PETITIONS**

Election petitions have special proceedings, which are neither civil nor criminal but are rather in a class of their own special regulatory regime,<sup>26</sup> which requires strict compliance.

20 Paragraph 3 (1), *Ibid*;

21 Paragraph 4(9) of the 1<sup>st</sup> Schedule to the Electoral Act, *ibid* *Kaka vs Daniel* (2009) 14 NWLR (Pt. 1161) 416; *Oshiomole vs Airhiaobere* (2013) 7 NWLR (Pt. 135) 376

22 S. 137(1), *Electoral Act, 2010 (as amended)*

23 S.138 (1), *ibid*

24 Paragraph 3 (4), *First Schedule to the Electoral Act, 2010 (as amended)*

25 S.285 (5), *Constitution of the Federal Republic of Nigeria (First Alteration) Act, 2010*

26 *In Kazeem vs. Kola* (2012) 1 NWLR (Pt. 1282) at 543, it was held that election petitions are special in nature and

The Electoral Act 2010 (as amended) contains mandatory provisions upon which a competent petition can be based. Defects or irregularities which in other proceedings are not sufficient to affect the validity of the claim are not so in election petitions. A slight default in complying with a procedural step could result in fatal consequences for the petitioner.<sup>27</sup> Paragraph 53 of the First Schedule to the Electoral Act 2010 (as amended) deals with the issue of non-compliance with the procedures contained in the Electoral Act.

## OUTCOME OF AN ELECTION PETITION

The Election Tribunal has a statutory duty to determine whether or not an election was conducted substantially in compliance with the provisions of the Constitution and the Electoral Act based on the evidence presented before it.<sup>28</sup>

When a complaint is filed challenging the conduct of an election or the undue return of a candidate, there are six possible outcomes:

1. The election may be declared void. The result is quashed and a fresh election is ordered to be conducted;
2. The result of the election may be partially cancelled in some polling units and a re-run election is ordered to be conducted in such affected polling units;
3. The election may be said to have been unduly conducted, the initial return is quashed and another candidate is declared the winner of the election;
4. The election is upheld, and the candidate returned is found to have been duly elected;
5. The petition could be dismissed for lacking in merit;
6. The petition may be withdrawn at the instance of the petitioner; and
7. The petition may be struck out for lack of jurisdiction or diligent prosecution.

Where the Tribunal or Court of Appeal determines that a candidate who was returned as elected was not validly elected on the ground that he/she did not score the majority of valid votes cast at the election, the Election Tribunal will declare as elected the candidate who scored the highest number of valid votes cast at the election, and satisfied the requirements of the Constitution and the Electoral Act.<sup>29</sup> Where the Tribunal or the Court of Appeal determines that a candidate who was returned as elected was not validly elected on any ground, such election will be nullified.<sup>30</sup> Where the Tribunal or Court of Appeal has ordered a fresh election, the fresh election must be conducted within three months from the date of the decision of the Tribunal or Court of Appeal.<sup>31</sup>

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*any error associated with it, no matter how slight is always fatal to the petition.*

27 Section 140 (4), of the Electoral Act, 2010 (as amended)

28 Paragraph 28(1) of the 1<sup>st</sup> Schedule to the Act, *ibid*

29 S. 140 (3), Electoral Act, 2010 (as amended)

30 S. 140 (1), *ibid*

31 Paragraph 28(3) of the 1<sup>st</sup> Schedule to the Electoral Act *ibid*

Nonetheless, the law guarantees the right of appeal to anybody who is affected or aggrieved by the verdict of an election tribunal or court.

## ELECTION TRIBUNALS

Election Petition Tribunals are specialized courts established by the Constitution to hear and determine petitions or issues arising from the conduct of an election. These Tribunals provide a platform where aggrieved political parties or their candidates can seek appropriate redress in various circumstances allowed under the law for the purpose of resolving disputes arising from the conduct of an election. The Constitution of the Federal Republic of Nigeria, 1999, as amended, creates three categories of Election Tribunals<sup>32</sup>, namely:

- i. National and State House of Assembly Election Tribunal
- ii. Governorship Election Tribunals
- iii. Court of Appeal

The Electoral Act also creates an Area Council Election Tribunal for the Federal Capital Territory.<sup>33</sup>

These courts are generally ad-hoc in nature and are to be constituted not later than 14 days before the conduct of an election and upon being constituted, open their registries for business seven days before the election.<sup>34</sup> Hearing of election petitions must commence and be concluded within 180 days from the date of the filing of the petition<sup>35</sup>, failure of which pending petitions must abate and tribunals wind up as, the requirement is strict and does not allow for extension. The 180 days period applies to a trial de novo or rehearing ordered on appeal.<sup>36</sup>

An Election Tribunal has the duty to determine whether or not an election was conducted substantially in accordance with the Constitution and the Electoral Act 2010 (as amended). In so doing, the Tribunal looks at:

- (a) The circumstances of the case, including the state of pleadings;
- (b) The credibility of the Petitioner's position and the nature and substance of the complaints of the Petitioner.
- (c) The attitude of the functionaries charged with the conduct of the election; and
- (d) Whether the omissions complained of by the Petitioner, even if proved, affected the conduct of the election.<sup>37</sup>

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32 S. 285, *Constitution of Federal Republic of Nigeria, 1999 (as amended)*

33 S. 135(1), *Electoral Act, 2010 (as amended)*

34 S.133 (3) *ibid*

35 S.134 (2) *Electoral Act, 2010 (as amended)*

36 *ANPP V. Goni (2012) 7 NWLR (Pt. 1298) 147*

37 *Okonji vs Ngwu (1992) 9 NWLR (Pt. 283) 113; CPC vs INEC (2011) 18 NWLR (Pt. 1279) 493*

## THE CONSTITUTION AND JURISDICTION OF TRIBUNALS

The Chairman and two other members constitute the quorum of an Election Tribunal<sup>38</sup>. The Chairman shall be a Judge of a High Court and the two other members shall be appointed from among Judges of a High Court, Kadis of a Sharia Court of Appeal, Judges of a Customary Court of Appeal or other members of the judiciary not below the rank of a Chief Magistrate.<sup>39</sup>

The Chairman and other members shall be appointed by the President of the Court of Appeal in consultation with the Chief Judge of a State, the Grand Kadi of the Sharia Court of Appeal of a State or the President of the Customary Court of Appeal of a State, as the case may be.<sup>40</sup>

The Court of Appeal in the hearing and determination of election petitions is constituted with at least three justices while the Supreme Court seats with at least five justices to determine election petitions.

The National Assembly and State House of Assembly Election Petition Tribunals have jurisdiction to determine all matters arising from conduct of election into the Senate and House of Representatives as well as the State House of Assembly.

The Governorship Election Tribunal hears matters arising from gubernatorial polls. The Court of Appeal, functions as the Election Tribunal to determine disputes arising from a Presidential election.

An appeal may lie from the Court of Appeal to the Supreme Court in respect of Presidential and Governorship elections, while an appeal from Election Tribunals in the Local Government, State Assembly and National Assembly elections lies and terminates at the Court of Appeal. The decisions of the Court of Appeal on these elections are final and thus subject to no further appeal to any other court in the land.

Appeals from a decision of an Election Tribunal or Court shall be heard and disposed of within 60 days from the date of the delivery of judgment of the tribunal or Court of Appeal.<sup>41</sup> The Court in all appeals from election tribunals may adopt the practice of first giving its decision and reserving the reasons thereto for the decision to a later date.<sup>42</sup>

## PROCEEDINGS AT ELECTION TRIBUNALS

Upon the service of a petition on the Respondent, he/she is expected to file a Memorandum of Appearance, which may either be conditional or unconditional and signed by the respondent

38 S. 285 (4), 1999 Constitution of the Federal Republic of Nigeria (as amended)

39 Paragraph 1(2), Sixth Schedule to the 1999 Constitution *ibid*

40 Paragraph 3 Sixth Schedule to the 1999 Constitution *ibid*

41 S. 134 (3), Electoral Act, 2010 (as amended)

42 S. 134 (4). *Ibid*

or his/her solicitor, if any.

Where the Respondent fails to file a Memorandum of Appearance as required by the Electoral Act, a document intended for service on him may be posted on the tribunal's notice board and this shall be sufficient notice of service of the document on the respondent. Failure to file a Memorandum of Appearance will not bar the Respondent from defending the election petition as long as he/she files his/her reply to the petition within a reasonable time<sup>43</sup> not later than 21 days from the receipt of the election petition.<sup>44</sup>

Within 14 days of entering a Memorandum of Appearance, the Respondent is expected to file his/her reply wherein he/she must effectively and sufficiently deny averments in the petition. Paragraph 12 (1) and (2) of the First Schedule to the Electoral Act, 2010, however, provides that the Respondent's reply shall specify the facts alleged in the election petition which he/she admits and which he/she denies and shall set out the facts on which he/she relies in opposition to the petition. The Respondent where he/she chooses to disapprove of the claim of the Petitioner must do so in clear and distinctive terms.

The Petitioner, after filing and service of the Petitioner's Reply on the Respondent or after filing and service of the Respondent's Reply, as the case may be, shall within 7 days apply for the issuance of Pre-hearing Notice.<sup>45</sup> The Tribunal shall issue to the parties a Pre-hearing Notice as in Form TF007 accompanied by a pre-hearing information sheet as in Form TF008.

Where the Petitioner fails to bring an application for the issuance of Pre-hearing Notice, the Respondent may make such an application to the Tribunal for an order dismissing the petition. Failure of the Petitioner to apply for the issuance of pre-hearing notice as provided under Paragraph 18 (1) will render the petition liable to be dismissed as a petition abandoned and no application for extension of time shall be entertained.<sup>46</sup>

Where the Respondent has not entered an appearance, or has not filed his/her reply within the prescribed time or within such time as the Tribunal or Court may have allowed, or has given notice that he/she does not intend to oppose the petition, the Tribunal or Court may: -

- (1) determine the proceedings on the election petition without hearing evidence or further evidence; and/or
- (2) continue and determine on such evidence or otherwise as the Tribunal or Court may deem necessary for the full and proper determination of the election petition.<sup>47</sup>

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43 *Paragraph 10(2), First Schedule to the Electoral Act, 2010 (as amended)*

44 *Prince Abubakar Audu & Anor vs Captain Idris Wada & 5 Ors (unreported) SC. 332/2012*

45 *Paragraph 18 (1), First Schedule to the Electoral Act, 2010 (as amended)*

46 *Paragraph 18(4), First Schedule to the Electoral Act (as amended); Enneazon vs INEC (2009) 8 NWLR (Pt. 1143) 223; Abubakar vs Nasamu (2012) 7 NWLR (Pt. 1330) 407*

47 *Paragraph 36, Ibid*

When a petition comes up for hearing and neither party appears, the Tribunal or Court shall, unless there are good reasons to the contrary, strike out the petition and no application shall be brought or entertained to re-list it.<sup>48</sup> But if the Petitioner appears and the Respondent does not appear, the Petitioner may prove his petition so far as the burden of proof lies upon him/her and the Tribunal or Court shall enter a final judgment in the petition.<sup>49</sup> But if the Respondent appears and the Petitioner does not appear, the Respondent shall be entitled to final judgment dismissing the petition.<sup>50</sup>

A Petitioner seeking to nullify an election must, therefore, succeed on the strength of his/her own case and not on the weakness of the case of the Respondent.

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48 *Paragraph 46(1), Ibid*

49 *Paragraph 46(2), Ibid*

50 *Paragraph 46 (3), Ibid*





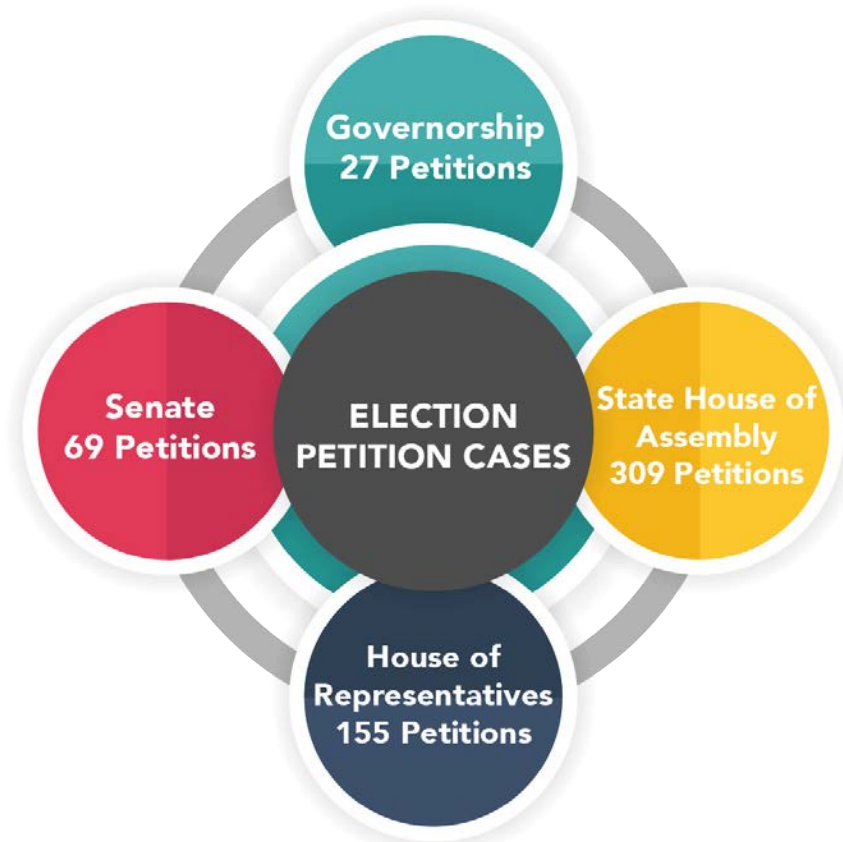
*PART*

**3**

# ANALYSIS OF COURT DECISIONS ON 2015 ELECTION PETITIONS

In its report on the 2015 General Election, INEC disclosed that about 600 petitions were filed at the various Election Petition Tribunals set up in all the states across the six geo-political zones of the country. This report is, however, able to document and review 560 of the petitions and the judgments of the courts arising from such petitions. However, it is important to note that 577 cases are listed on the Review Table in Part 4, as some cases were ordered by the Appellate Courts to start *de novo*.<sup>51</sup> Majority of the 560 petitions, precisely 309 (55.1%), were with respect to State Constituency elections. Petitions with respect to Federal Constituency elections were 155 (27.6%), Senate 69 (12.3%), while 27 petitions (4.8%) were filed challenging the outcome of the Governorship Elections. It is noteworthy that for the first time in the history of elections in Nigeria since the return to democracy in 1999, no petition was filed to challenge the outcome of the Presidential election.

*Figure 01: Analysis of total number of petitions filed challenging the outcome of the 2015 Governorship, Senatorial, Federal and State Constituency Elections.*



Seventeen out of the 27 registered political parties, which sponsored candidates that

51 Heard afresh

participated in the 2015 general election, filed petitions challenging the outcome of some of the elections at the respective Tribunals.

*Table 01: Summary of Election Petitions by Political Parties*

POLITICAL PARTY	NO. OF ELECTION PETITION CASES FILED	%
ACCORD	25	4.4
ADC	4	0.7
APC	249	45.0
APGA	48	8.4
AD	1	0.1
CPP	1	0.1
DPP	1	0.1
LP	34	6.0
MPPP	2	0.3
NCP	1	0.1
PDC	5	0.8
PDM	5	0.8
PDP	167	29.5
PPA	7	1.2
PPN	1	0.1
SDP	8	1.4
UPN	1	0.1

The All Progressives Congress (APC) filed the highest number of petitions 249 (44.4%), while the Peoples Democratic Party (PDP) filed 167 petitions (29.8%). The All Progressive Grand Alliance (APGA) and Labour Party (LP) filed 48 (8.5%) and 34 cases (6.0%) respectively.

Statistics of the number of petitions arising from the 2015 elections show that Rivers State had the highest number of petitions filed with 49 cases (a whopping 8.7% of the entire cases filed). A breakdown showed that there was one petition against the governorship election, 3 against the Senatorial election, 13 against the House of Representatives elections, while 32 were filed against the Rivers State House of Assembly elections. To put this into context, the cases filed in Rivers state were more than all the cases filed in the entire North West Region of Nigeria.

Following Rivers State is Lagos with 38 cases, Oyo with 35 cases, and Imo and Akwa-Ibom States, which had 34 petitions filed respectively. Petitioners from Abia State filed 31 petitions, while Kogi State came a distant sixth with 27 petitions.

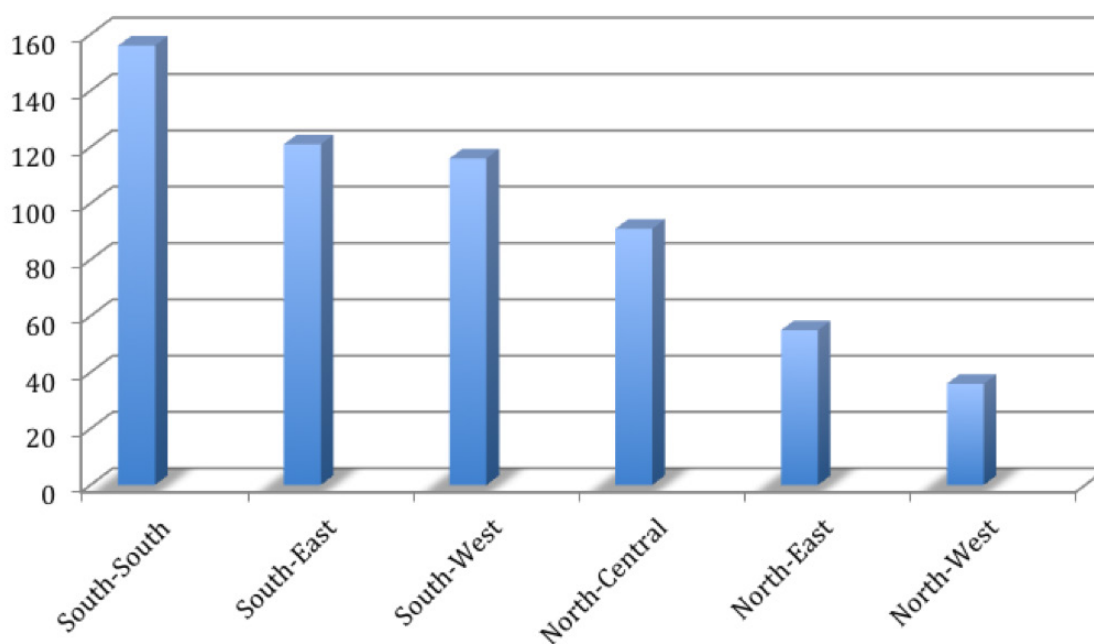
*Table 02: Summary of the Petitions filed across the States of the Federation and the FCT*

STATE	TOTAL NUMBER OF ELECTION PETITION CASES	GOVERNORSHIP	SENATORIAL	FEDERAL CONSTITUENCY	STATE CONSTITUENCY	%
ABIA	31	2	4	4	21	5.5
ADAMAWA	7	0	0	2	5	1.2
AKWA IBOM	34	2	2	7	23	6.0
ANAMBRA	26	0	4	11	11	4.6
BAUCHI	4	0	0	3	1	0.7
BAYELSA	15	0	3	0	12	2.6
BENUE	23	1	1	6	15	4.1
BORNO	1	0	0	1	0	0.1
CROSS RIVER	21	0	3	8	10	3.7
DELTA	26	2	3	3	18	4.6
EBONYI	9	1	3	4	1	1.6
EDO	9	0	1	1	7	1.6
EKITI	5	0	3	0	2	0.8
ENUGU	19	1	6	8	4	3.3
FCT	2	0	1	1	0	0.3
GOMBE	13	2	1	5	5	2.3
IMO	34	1	7	13	13	6.0
JIGAWA	8	0	0	3	5	1.4
KADUNA	8	1	0	3	4	1.4
KANO	5	0	3	1	1	0.8
KATSINA	4	1	0	0	3	0.7
KEBBI	5	1	0	0	4	0.8
KOGI	27	0	3	7	17	4.8
KWARA	5	1	2	2	0	0.8
LAGOS	38	1	2	15	20	6.7
NASARAWA	13	1	3	4	5	2.3
NIGER	7	0	0	3	4	1.2
OGUN	14	2	1	1	10	2.5
ONDO	12	0	0	3	9	2.1
OSUN	5	0	1	2	2	0.8
OYO	35	1	2	10	22	6.2
PLATEAU	14	1	2	4	7	2.5
RIVERS	49	1	3	13	32	8.7
SOKOTO	2	0	0	2	0	0.3

STATE	TOTAL NUMBER OF ELECTION PETITION CASES	GOVERNORSHIP	SENATORIAL	FEDERAL CONSTITUENCY	STATE CONSTITUENCY	%
TARABA	23	1	5	4	13	4.1
YOBE	3	1	0	1	1	0.5
ZAMFARA	4	2	0	0	2	0.7
TOTAL	560	27	69	155	309	

A breakdown of the petitions filed at the various election tribunals shows that the South-South and South-East geo-political zones recorded the highest cases of 154 petitions (27.5%) and 119 petitions (21.2%) respectively. The South-West had 109 petitions (19.4%). The North-Central followed with 89 petitions (15.8%), North-East 56 petitions (10%) and the North-West recorded the least of 27 petitions (4.8%).

Figure 02: Analysis of 2015 Election Petitions filed by Zones



The task of proving that an election was not conducted in substantial compliance with the Electoral Act is on the Petitioner<sup>52</sup>. The reason is that there is a presumption of regularity or authenticity in favour of the results announced, and the person who alleges contrary is placed with the onerous burden to prove otherwise. It is, therefore, very difficult for a petitioner to achieve success in election petitions as witnessed from the outcome of the decisions of the courts on 2015 election petitions. Out of the 560 cases reviewed, only 78 cases (13.9%) ended favourably for the petitioners at the election Tribunals, which dismissed a total of 380 (67.8%)

52 *Ucha vs Elechi (2012), 13 NWLR (Pt.1317)*

and struck out 94 of the cases (16.7%). The favourable outcomes include decisions that fully cancelled the election as canvassed by the losers, (37 cases); partial cancellation (25 cases); and where petitioners were declared winners (16 cases).

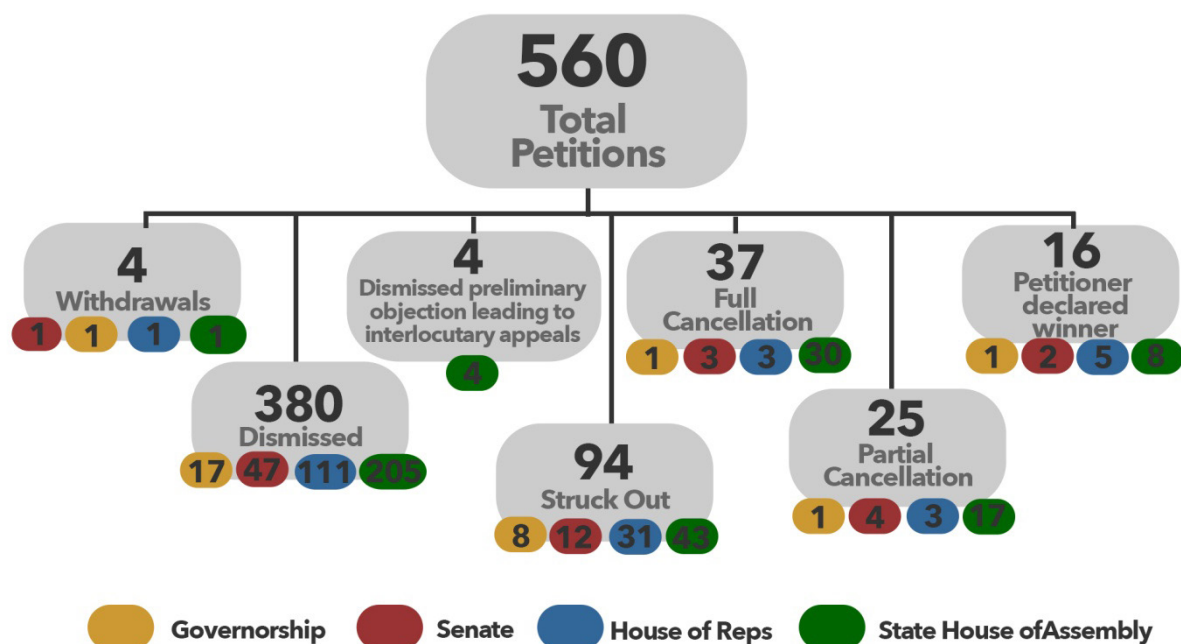


Figure 03 showing the decisions of Tribunals on the petitions arising from the 2015 Elections

In 333 cases (59.4%), the decisions of the election Tribunals were appealed across the States of the Federation and FCT, while petitioners in at least 227 cases (40.5%) decided not to contest the judgements of the Election Petition Tribunals.

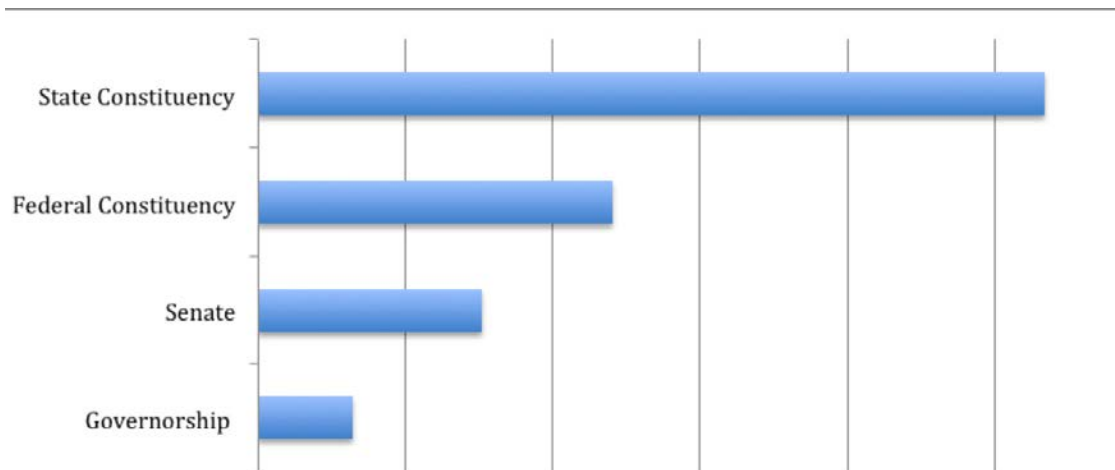
Table 03: Summary of the Number of Appeals by State

STATE	FEDERAL CONSTITUENCY	GOVERNORSHIP	SENATORIAL	STATE CONSTITUENCY	TOTAL NUMBER OF APPEALS
ABIA	2	1	4	17	24
ADAMAWA	0	0	0	0	0
AKWA IBOM	0	1	1	0	2
ANAMBRA	6	0	2	6	14
BAUCHI	2	0	0	1	3
BAYELSA	0	0	2	11	13
BENUE	1	1	1	3	6
BORNO	1	0	0	0	1
CROSS RIVER	6	0	3	6	15
DELTA	1	2	1	6	10
EBONYI	4	1	0	1	6

EDO	1	0	0	3	4
EKITI	0	0	3	0	3
ENUGU	5	1	4	2	12
FCT	1	0	1	0	2
GOMBE	1	2	1	4	8
IMO	3	1	6	8	20
JIGAWA	2	0	0	4	6
KADUNA	2	1	0	3	6
KANO	0	0	1	1	2
KATSINA	0	0	0	3	3
KEBBI	0	1	0	1	2
KOGI	3	0	3	8	14
KWARA	1	0	2	0	3
LAGOS	12	1	2	16	31
NASARAWA	0	0	1	0	1
NIGER	2	0	0	4	6
OGUN	2	1	1	4	8
ONDO	3	0	0	6	9
OSUN	2	0	1	2	5
OYO	4	1	2	15	22
PLATEAU	0	0	2	3	5
RIVERS	13	1	3	29	46
SOKOTO	2	0	0	0	2
TARABA	2	1	5	11	19
YOBE	0	1	0	0	1
ZAMFARA	0	1	0	0	1
TOTAL	83	20	52	178	333

The figures from the table above show that majority of the appeals arose from the decisions on State Constituency election petitions with a total of 178 (31.7%) appeals. Federal Constituency petitions came behind with a total of 83 (14.8%) appeals. Appeals to Senatorial petitions judgments were 52 (9.2%), while Governorship petitions had the least of 20 (3.5%) appeals.

Figure 04 Analysis of Appeals by Electoral Constituency

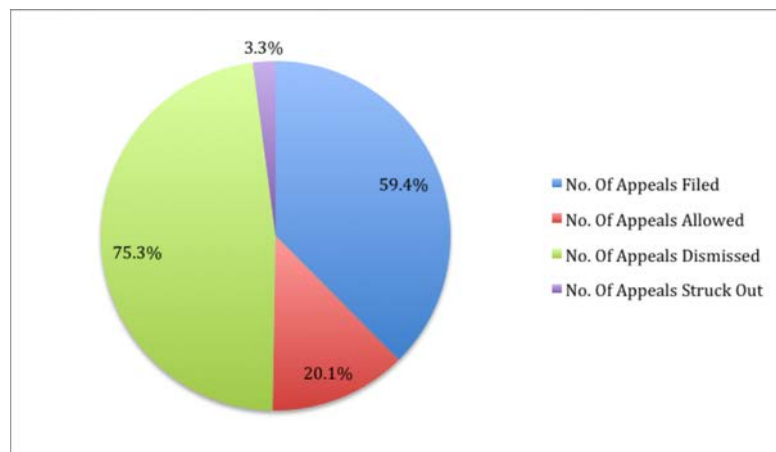


With respect to appeals against decisions of Election Petition Tribunals in cases arising from State and Federal constituencies elections, Rivers State had the highest number of Appeals; 46. Lagos state followed with 31 appeals; Abia State (24) and Oyo State (22). Taraba had (19) appeals and Imo State had 18 appeals filed. Borno, Yobe, Nasarawa and Zamfara States had the least number of appeals against judgments of Election Petition Tribunals; 1 appeal each.

A breakdown of the Governorship appeals to the Supreme Court on the other hand, shows that a total of 17 appeals were filed. Out of these, 3 were allowed and 14 were dismissed. It is noteworthy that all the appellants who challenged the conduct of the governorship elections in their respective States lost their appeals, as the Supreme Court upheld all the disputed Governorship elections conducted by INEC on April 11 2015.

Out of the total number of the petitions that went on appeal, only 67 (20.1%) of the appeals were decided in favour of the appellants. A breakdown of the successful appeals shows that 26 (7.8%) of the appeals resulted to the full cancellation of the elections complained about, while 3 appellants were declared winner of the elections challenged at the Court of Appeal. However, a total of 251 (75.3%) appeals were dismissed, while 11 (3.3%) were struck out.

Figure 05: Bar Chart Analysis of the Decisions of the Court of Appeal on Appeals from Election Petition Tribunals



*Table 04: Summary of Court of Appeal Decisions on Appeals by State*

STATE	NO. OF APPEALS ALLOWED	NO. OF APPEALS DISMISSED	NO. OF APPEALS STRUCK OUT
ABIA	6	13	1
ADAMAWA	0	0	0
AKWA IBOM	1	2	0
ANAMBRA	2	12	0
BAUCHI	0	3	1
BAYELSA	1	11	1
BENUE	3	2	1
CROSS RIVER	0	14	0
BORNO	0	1	0
DELTA	2	7	1
EBONYI	0	6	0
EDO	0	4	0
EKITI	0	3	0
ENUGU	1	10	1
GOMBE	2	5	0
IMO	2	11	5
JIGAWA	0	6	0
KADUNA	0	6	0
KANO	1	1	0
KATSINA	0	3	0
KEBBI	0	2	0
KOGI	4	8	0
KWARA	0	3	0
LAGOS	0	31	0
NASARAWA	1	0	0
NIGER	0	6	0
OGUN	6	3	0
ONDO	3	7	0
OSUN	1	3	0
OYO	1	21	0
PLATEAU	2	3	0
RIVERS	19	25	0
SOKOTO	2	0	0

TARABA	7	11	0
YOBE	0	1	0
ZAMFARA	0	1	0
TOTAL	67	251	11

As shown on the above table, Rivers State recorded the highest number of success from the decisions of the Court of Appeal with a total of 19 successful appeals, followed by Taraba State (7) and Abia (6).

The summary of the decisions of the Court of Appeal on the petitions also shows that the Court upheld majority of the decisions of the lower Tribunals, an indication that the Tribunal's decisions were sound and not perverse.





*PART*

**4**

## LIST OF PETITIONS ARISING FROM 2015 GENERAL ELECTION

### A. GOVERNORSHIP CASES

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL		SUPREME COURT	
							DECISION	REASONS	DECISION	REASONS	DECISION	REASONS
1.	Abia	Alex Otti	APGA	Okezie Ikpeazu	PDP	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (over-voting, intimidation of voters, rigging, failure to collate results and non-use of the smart card readers).	Petition dismissed	The Tribunal held that the Petitioner failed to prove beyond reasonable doubt the allegations of crime and over-voting.	Petitioner declared winner	The Court held that the Appellant/ Petitioner successfully established the allegation of over-voting It also held that the Appellant/Petitioner scored the majority of lawful votes cast at the election.	Appeal allowed	The Court held that the Respondent/Petitioner failed to prove allegations of crime and to establish the claim of over-voting; It was unlawful for the State Returning Officer to have cancelled election results, as he has no right to do so.
1.	Abia	Chinenye Anyim	APC	Okezie Ikpeazu	PDP	Non-compliance with the Electoral Act & corrupt practices (rigging, violence & irregularities).	Petition struck out	Lack of diligent prosecution.				

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL		SUPREME COURT	
							DECISION	REASONS	DECISION	REASONS	DECISION	REASONS
3.	Akwa Ibom	Umana Okon Uwana	APC	Udom Gabriel Emmanuel	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, rigging, falsification of results, non-collation of results and thuggery).	Partial cancellation	Tribunal cancelled election in 18 LGAs, holding that they were marred by corrupt practices.	Appeal dismissed Election of the Respondent nullified.	The Court found that the non-compliance substantially affected the entire result of the election.	Appeal Allowed; Election of the Appellant upheld.	The Respondent/Petitioner did not prove beyond reasonable doubt the allegations of crime; The Court of Appeal erred in nullifying the entire election when there was no ground of appeal seeking such.
4.	Akwa Ibom	Sen. Helen Udoakaha Esuene	LP	Udom Gabriel Emmanuel	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (massive irregularities and malpractices).	Petition struck out	The petition is incompetent having not been properly presented or signed as required by law.				

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL		SUPREME COURT	
							DECISION	REASONS	DECISION	REASONS	DECISION	REASONS
5.	Benue	Terhemem Tarzoor	PDP	Samuel Ortom	APC	Respondent not qualified to contest the election; Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act.	Petition dismissed	Failure of the Petitioner to prove that the Respondent was not a member of the APC at the time he contested the election Failure of the Petitioner to establish with credible and cogent evidence, the non-holding of party primary that produced the Respondent as candidate for the election.	Appeal Dismissed	The Respondent/ Appellant is not qualified to challenge the nomination of the Petitioner not being a member of the Petitioner's party.	Appeal Dismissed	The Appellant has no locus standi to challenge the selection or nomination of the Petitioner not being a member of the Petitioner's party or an aspirant at the primary election; Failure of the Appellant to demonstrate that the Respondent/Petitioner is caught by any of the disqualifying factors in section 182 (1) of the 1999 Constitution or prove that the Petitioner does not fulfill any of the conditions listed in section 177 of the Constitution.
6.	Delta	Oghenetega Germanson Emerhor	APC	Sen. (Dr.) Ifeanyi Arthur Okowa	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (improper accreditation, over-voting, disruption of the electoral process and arbitrary allocation of figures).	Petition dismissed	The Petition is incompetent having not been properly signed or endorsed by either the petitioner or his solicitors; Failure of the petitioner to lead any cogent evidence to support the allegations contained in his petition.	Appeal dismissed	The petition is incompetent for not being signed. The petitioner did not lead any credible evidence to establish his case & thus affirmed the judgment of the Tribunal.	Appeal dismissed Affirmed the decisions of the Tribunal and Court of Appeal.	The petitioner failed to establish the allegations contained in his petition; The failure to use the card reader for accreditation cannot be a ground to question an election.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL		SUPREME COURT	
							DECISION	REASONS	DECISION	REASONS	DECISION	REASONS
7.	Delta	Great Ovedje Ogboru	LP	Sen. (Dr.) Ifeanyi Arthur Okowa	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (massive rigging, ballot box snatching, falsification of results and intimidation of voters).	Petition dismissed	The Petitioner failed to prove his allegations of corrupt practices and non-compliance with the Electoral Act.	Appeal dismissed	Failure of the petitioner to lead any cogent evidence to support the allegations contained in his petition.	Appeal dismissed	The petitioner failed to lead any cogent evidence to support the allegations contained in his petition; The failure to use the card reader for accreditation cannot be a ground to question an election.
8.	Ebonyi	Edward Nkwegu Okereke	LP	Nweze David Umahi	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices.	Petition dismissed	Failure of the Petitioner to prove his allegations of corrupt practices and non-compliance with the Electoral Act.	Appeal dismissed Affirmed the decision of the Tribunal.	Failure of the Appellant to tender the voters' register to prove over-voting; The card reader cannot be used to supplant the voter's register.	Appeal dismissed Affirmed the decisions of the Tribunal and Court of Appeal.	The Court held that the Petitioner failed to adduce credible evidence in support of his petition; It also held that the card reader couldn't be used to supplant the voter's register.
9.	Enugu	Barr. Okey Ezea	APC	Ifeanyi Lawrence Ugwuanyi	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act.	Petition dismissed	Failure of the Petitioner to establish his case with credible evidence.	Appeal dismissed	Failure of the Petitioner to adduce credible evidence in support of his petition.		
10.	Gombe	Jafar Abubakar (No. 1)	ADC	Alhaji Ibrahim Hassan Dankwambo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act.	Petition struck out	The Tribunal held that the petition was abandoned due to the failure of the Petitioner to participate in the Pre-hearing Session.	Appeal Allowed, Petition ordered to be held on its merit.	The Court held that the Tribunal erred in its ruling striking out the petition and not hearing the petition on its merit.	Appeal dismissed; Decision of the Court of Appeal affirmed.	The Court held that the Tribunal was wrong to have held that the petitioner had abandoned his petition.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL		SUPREME COURT	
							DECISION	REASONS	DECISION	REASONS	DECISION	REASONS
12.	Gombe	Jafar Abubakar (No. 2)	ADC	Alhaji Ibrahim Hassan Dankwambo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (over-voting, multilation of result sheets & inducement of voters).	Petition dismissed	Failure of the Petitioner to prove his allegations of corrupt practices and non-compliance with the Electoral Act.	Appeal dismissed	The Petitioner failed to adduce credible evidence in support of his petition.		
13.	Gombe	Alhaji Mohammed Inuwa Yahaya	APC	Alhaji Ibrahim Hassan Dankwambo	PDP	Non-compliance with the Electoral Act and corrupt practices (over-voting, multilation of result sheets & inducement of voters).	Petition dismissed	Failure of the Petitioner to prove his allegations of corrupt practices and non-compliance with the Electoral Act.	Appeal dismissed	Failure of the Petitioner to prove substantial non-compliance with the Electoral Act and whether the non-compliance substantially affected the outcome of the entire election.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL		SUPREME COURT	
							DECISION	REASONS	DECISION	REASONS	DECISION	REASONS
14.	Imo	Emeka Ihedioha	PDP	Rochas Okorochoa	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (over-voting, mutilation of result sheets, rigging, violence & inducement of voters).	Petition struck out	The petition is abandoned and thus incompetent due to the failure of the Petitioner to apply for the issuance of Pre-hearing Notice within 7 days after the close of pleadings as prescribed in Paragraph 18 (1) of the 1st Schedule to the Electoral Act. It cannot therefore, be held on its merit.	Appeal struck out (The Court however, ruled that the Tribunal was wrong in dismissing the Appellant's petition for non-compliance with paragraph 18(1) of the First Schedule, given that there was substantial compliance with the said paragraph by the Appellant)	Failure of the Appellant to endorse on the Notice of Appeal the addresses for service on each of the Respondents offends Order 2 Rule 3 of the Court of Appeal Rules, 2011 and renders the said Notice of Appeal incompetent. It was wrongful for the Appellant to have excluded the 2nd to 36th Respondents who were directly affected by the appeal from the list of parties contained in the Notice of Appeal.	Appeal dismissed	The failure of the Appellant to put the named Respondents on notice as condition precedent to assumption of jurisdiction by the court is fatal to the appeal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL		SUPREME COURT	
							DECISION	REASONS	DECISION	REASONS	DECISION	REASONS
15.	Kaduna	Polycarp Danladi G.	APGA	Nasir Ahmed El-Rufa'i	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (over-voting, intimidation of voters, mutilation of result sheets & rigging); Respondent not qualified to contest the election.	Petition dismissed	The Petitioner failed to prove beyond reasonable doubt his allegations of corrupt and illegal practices during the election.	Appeal dismissed	Failure to tender the voters' register to prove over-voting is fatal to the petition; Failure of the petitioner to lead any credible evidence to establish his case.		
16.	Katsina	Musa Kashuni	PDP	Aminu Bello Masari	APC	Respondent not qualified to contest the election; Non-compliance with the Electoral Act;	Withdrawn	Granted the Petitioner's application to withdraw the petition.				
17.	Kebbi	Gen. Bello Sarkin Yaki (Rtd)	PDP	Sen. Abubakar Atiku Bagudu	APC	Respondent not duly Elected by majority of lawful votes; Non-compliance with the Electoral Act;	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time	Appeal dismissed	The Court held that the failure of the petitioner to file the pre-hearing notice within the stipulated time had rendered the petition incompetent and liable to be struck out.	Appeal dismissed	The Supreme Court affirmed the decision of the Tribunal that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL		SUPREME COURT	
							DECISION	REASONS	DECISION	REASONS	DECISION	REASONS
18.	Kwara	Comrade Abubakar Abdulraheem	ADC	Alh. (Dr.) Abdulfatah Ahmed	APC	Unlawful exclusion from the election;	Petition dismissed	The Tribunal held that the petitioner failed to prove that they were validly nominated & therefore unable to claim that they were unlawfully excluded from the elections				
19.	Lagos	Jospeh Olujimi Kolawole Agbaje	PDP	Akinwunmi Ambode	APC	Respondent not qualified to contest; Non-compliance with the Electoral Act & corrupt practices (improper accreditation of voters, non-use of card, over-voting, falsification of results, illegal thumb printing etc).	Petition struck out	The Tribunal ruled that the grounds of the petition were not provided under the Electoral Act and therefore the Petition was incompetent; The improper or non-use of the card reader is not a ground to challenge an election.	Appeal dismissed	The Court held that the grounds of the petition were invalid & thus, the petition was incompetent; The failure to use the card reader for accreditation does not qualify as a ground to challenge an election.	Appeal dismissed	The Court held that failure of the petitioner to file an appeal against a substantial Court of Appeal judgment, which arose from the original petition, had made the present appeal incompetent and thus, liable to be dismissed by the court.
20.	Nasarawa	Labaran Maku	APGA	Alh. Umaru Tanko Al-Makura	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with Act the Electoral Act.	Petition dismissed	Petitioners failed to establish their allegations against the Respondents.				
21.	Ogun	Iyabo Ogunmefun (No. 1)	MPPP	Senator Ibikunle Amosun	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act; Unlawful exclusion from the election	Petition struck out	The Tribunal ruled that the petition was filed out of time and therefore incompetent.	Appeal dismissed	The Court held that the petition was incompetent since it was filed more than 21 days after the result was declared on April 12, 2016.	Appeal allowed	Tribunal lacks the jurisdiction to entertain the matter having not been properly constituted. Petition to be heard afresh by a reconstituted Tribunal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL		SUPREME COURT	
							DECISION	REASONS	DECISION	REASONS	DECISION	REASONS
22.	Ogun	Iyabo Ogunmefun (No. 2)	MPPP	Senator Ibikunle Amosun	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act; Unlawful exclusion from the election;	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.	Appeal dismissed	The Court held that the time for hearing the petition had elapsed and that the courts could not extend the period that had been set constitutionally		
23.	Ogun	Adegboyegba Nasir Isiaka	PDP	Senator Ibikunle Amosun	APC	Respondent not duly elected by majority of lawful votes Unduly Elected; Non-compliance with the Electoral Act & corrupt practices (rigging, arbitrary allocation of figures and falsification of results).	Petition dismissed	The petitioner failed to lead direct evidence of what transpired at the disputed polling units through witnesses who participated in the voting; The Petitioner was unable to prove his allegations of corrupt practices & the non-compliance with the Act.	Appeal dismissed	The Court affirmed the judgment of the Tribunal & held that the petitioner failed to adduce credible evidence in support of his petition.	Appeal dismissed	The Supreme Court affirmed the judgments of the Court of Appeal and Tribunal. It held that the petitioner had not established his case and no admissible evidence were given to support the allegations contained in his petition.
24.	Oyo	Rashidi Adewolu Ladoja	Accord	Senator Abiola Adeyemi Ajimobi	APC	Respondent not duly elected by majority of lawful votes Unduly Elected; Non-compliance with the Electoral Act & corrupt practices (massive electoral irregularities) ???	Petition dismissed	Failure of the petitioner to prove beyond reasonable doubt, his allegations of corrupt practices and show how that the non-compliance complained about adversely affected the outcome of the election.	Appeal dismissed	The Court held that the Tribunal was right when it found that the petitioner failed to prove corrupt practices & non-compliance with the Electoral Act.	Appeal dismissed	The Supreme Court held that the Petitioner was unable to prove his allegations of corrupt practices and non-compliance with the Electoral Act through credible evidence. It therefore affirmed both the judgments of the Tribunal and Court of Appeal

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL		SUPREME COURT	
							DECISION	REASONS	DECISION	REASONS	DECISION	REASONS
25.	Plateau	Gyang Nyam Shom Pwajok	PDP	Simon Bako Lalong	APC	Respondent not duly elected by majority of lawful votesUnduly Elected; Non-compliance with the Electoral Act& corrupt practices (massive electoral irregularities). ???	Petition dismissed	The Tribunal held that the Petitioner did not lead evidence-polling unit by polling unit to show that there was substantial non-compliance, which affected the outcome of the election.				
26.	Rivers	Dakuku Peterside	APC	Wike Nyesom	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices (deliberate resort to manual accreditation, non-collation of results, violence, intimidation of voters, lack of result sheets, over-voting, hijacking of materials, disenfranchisement of voters etc).	Full cancellation	Failure of INEC to use card readers for accreditation; The Petitioner established that the election was characterized by irregularities, violence, corrupt practices and substantial non-compliance with the Electoral Act;	Appeal dismissed	Failure of INEC to follow its Manual and Guidelines for the conduct of the election rendered the election void; Failure by the Petitioner/ Respondent's lawyer to affix on the petition the stamp and seal of the Nigerian Bar Association does not vitiate the petition being a mere irregularity that can be cured by an application.	Appeal allowed	The Court held that INEC directives, Guidelines and Manuals cannot be elevated above the provisions of section 49 of the Electoral Act so as to eliminate manual accreditation of voters. This will remain so until INEC takes steps to have the necessary amendments made to bring the usage of the Card Reader within the ambit of the substantive Electoral Act; It is improper for the Petitioner to include non-compliance with the Manual for Election Officials 2015 as well as INEC's 2015 General Election approved Guidelines.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL		SUPREME COURT	
							DECISION	REASONS	DECISION	REASONS	DECISION	REASONS
27.	Taraba	Aisha Jummai Al-Hassan	APC	Darius Dickson Ishaku	PDP	Respondent was not duly elected by majority of lawful votes; Respondent not qualified to contest the election Non-compliance with the Electoral Act (Respondent not nominated through a valid primary, election marred by irregularities)	Petitioner Declared Winner	The Tribunal held that the Respondent was not qualified to contest the election as a result of his party's failure to conduct its primary in the State's capital and also non-compliance with the Electoral Act.	Appeal allowed	The Court, while overruling and reversing the judgment of the Tribunal, held that the petitioner did not have the locus standi to question the nomination process of the respondent party. Thus, the respondent was returned as winner of the election.	Appeal dismissed	The Supreme Court affirmed the decision of the Court of Appeal. It held that the petitioner did not have the locus standi to question the nomination process of the respondent party. It also held that the petitioner did not lead any cogent evidence to support the allegations contained in her petition.
28.	Yobe	Alhaji Adamu Maina Waziri	PDP	Alhaji Ibrahim Gaidam	APC	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (Election marred by irregularities and malpractices).	Petition dismissed	The Tribunal held that the Petitioner was unable to prove their allegations & that there was no nexus between the perpetrators of the bribery allegations & the Respondent.	Appeal dismissed	The Court held that the petitioner did not lead any cogent evidence to support the allegations contained in his petition & thus affirmed the judgment of the Tribunal..	Appeal dismissed	The Court held that the petitioner failed to establish the allegations of non-holding of elections in 6 LGAs & thus affirmed the judgment of the Tribunal and Court of Appeal.
29.	Zamfara	Alhaji Sani Abdullahi Shinkafi	APGA	Abdulazeez Abubakar Yari	APC	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (improper accreditation, and illegal thumb-printing of ballot papers).	Petition dismissed	The Petitioner failed to prove beyond reasonable doubt the allegations of crime or show that the non-compliance complained about adversely affected the outcome of the election.				

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL		SUPREME COURT	
							DECISION	REASONS	DECISION	REASONS	DECISION	REASONS
30.	Zamfara	Mahmud Aliyu Shinkafi	PDP	Abdulazeez Abubakar Yari	APC	Respondent was not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act & corrupt practices (the respondent is not validly nominated by his party, over-voting, failure to use the card reader for accreditation, falsification of results etc).	Petition dismissed	The Petitioner failed to establish a prima facie case against the Respondent. The petitioner also failed to properly state the ground of non-qualification in his petition.	Appeal dismissed	Failure to tender the voters' register & results sheets was fatal to the Petitioner's case. Also, the Petitioner, not being a member of APC, lacked the locus to challenge the outcome of APC's primary election. The Petitioner also failed to prove the alleged over-voting.	Appeal dismissed	The Court held that the petitioner did not have the locus standi to challenge the nomination of the respondent. Secondly, it held that the petitioner had failed to prove his allegations of over-voting.

## B. FEDERAL LEGISLATURE (NATIONAL ASSEMBLY)

### (1) SENATE

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
							REASONS	DECISION	REASONS	
31.	Abia	Chris Nkwonta	APC	Enyinnaya Abaribe	PDP	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (Election marred by irregularities and malpractices).	Partial Cancellation	The Tribunal held that the Petitioner successfully proved that the Respondent was unduly returned by reason of irregularities, which substantially affected the result of the election.	Appeal allowed Election of the Appellant/ Respondent upheld	The Court held that the Respondent/Petitioner failed to call as witnesses, the Returning and Presiding Officers, Polling Clerks or polling agents to prove the invalidity of the election; The Court held that the entire petition was founded upon hearsay evidence, which it cannot rely on.
32.	Abia	Ahamdi Emmanuel Nweke	APGA	Theodore Orji	PDP	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (Election marred by irregularities and malpractices).	Petition dismissed	The Tribunal held that the Petition is incompetent for being vague, imprecise, speculative, hypothetical, and without verifiable basis as such, the court lacks the jurisdiction to entertain it.	Appeal struck out	The Court held that the grounds of the Appeal and the issues deriving therefrom are incompetent as there are unknown to law.
33.	Abia	Dr. O. O Bourdex	APGA	Mao Oluabunwa	PDP	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (Election marred by irregularities and malpractices).	Petition dismissed	Failure of the petitioner to prove beyond reasonable doubt, the allegations of crime and to provide cogent evidence, polling unit by polling unit to prove substantial non-compliance with the Electoral Act.	Appeal allowed Election of the Respondent nullified.	The Court held that the Appellant/Petitioner lead evidence that established substantial electoral malpractice and non-compliance with the Electoral Act. It ordered INEC to conduct fresh elections within 90 days.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
							REASONS	DECISION	REASONS	
34.	Abia	Orji Uzo Kalu	PPA	Mao Oluabunwa	PDP	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act.	Petition dismissed	The Tribunal lacks the jurisdiction to entertain the petition on the ground that the Petitioner alleges that the person (i.e the INEC Returning Officer), who has the authority to declare the results of the disputed election did not do so.	Appeal allowed Election of the Respondent nullified.	A declaration or return that does not conform to the appropriate provisions of the Electoral Act is tantamount to an undue return in respect of which the Tribunal has jurisdiction to entertain. It ordered INEC to conduct fresh elections within 90 days.
35.	Akwa Ibom	Inibehe Matthew Okori	APC	Chief Godswill Obot Akpabio	PDP	Respondent not qualified to contest; Non-compliance with the Electoral Act & corrupt practices (Respondent was not properly nominated by his party, manipulation of results, non collation of results, etc).	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations of non-qualification & corrupt practices in the conduct of the election. The Tribunal also held that the Respondent was validly nominated by his political party.	Appeal dismissed	The Court held that the Appellants failed to prove by preponderance of evidence, that the Respondent was not duly nominated by the PDP to contest the election.
36.	Akwa Ibom	Rt. Hon. Emmanuel Obot	APC	Bassey Albert Akpan	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (Respondent was not properly nominated by his party, manipulation of results, non collation of results, etc).	Partial cancellation	The Tribunal nullified the results of 5 Wards & 38 PUs that were held to have been conducted without compliance with the Electoral Act. It ordered INEC to conduct fresh elections in the affected areas.		
37.	Anambra	E.C Nkem	APC	Uche Lilian Ekwunife	PDP	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest.	Petition Withdrawn	Petition withdrawn at the instance of the Petitioner.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
							REASONS	DECISION	REASONS	
38.	Anambra	Dubem Obaze	APGA	Stella Oduah	PDP	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act & corrupt practices (improper accreditation, over-voting, lack of result sheets, non-voting in some polling units etc).	Petition dismissed	The Tribunal held that the Petitioner lack the locus standi to question the nomination of the Respondent by her political party since the issue relates to pre-election matter over which the Tribunal has no jurisdiction to adjudicate; Failure of the Petitioner to call competent witnesses who were present at the disputed polling units to give direct evidence of the alleged non-compliance with the provisions of the Act; Failure of the Petitioner to tender the register of voters, ballot boxes containing ballot papers and the statement of results for the affected 3 LGAs complained about to prove his claim of over-voting	Appeal dismissed	Failure of the Appellant/ Petitioner to prove not only that there was substantial non-compliance with Electoral Act but also that such non-compliance affected the result of the election
39.	Anambra	Ernest C. Ndukwe	APGA	Andy Uba	PDP	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the petitioner failed to relate his documentary exhibits to his evidence by calling its makers or witnesses present at the making of the documents to speak to their authenticity; It also held that the petitioner failed to prove his claim of non-qualification to contest the election since possession of a school certificate is not a constitutional requirement that qualifies a candidate for election as a member of the Senate.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
							REASONS	DECISION	REASONS	
41.	Anambra	Victor Umeh	APGA	Uche Lillian Ekwunife	PDP	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act & corrupt practices (falsification of results, and arbitrary allocation of figures in electoral forms).	Petition dismissed	The Tribunal held that the Petitioner failed to show that the cancellations or mutilations complained about in the result sheets were made dishonestly to favour the Respondent; It also held that the petition was founded upon hearsay evidence on which the court cannot rely; It further held that the issue of nomination or sponsorship of a candidate by a political party is purely an internal affair of the party, which is not justiciable. It constitutes a pre-election matter over which an election Tribunal has no jurisdiction to entertain.	Appeal allowed Election of the Respondent/ Petitioner nullified	The Court held that the Respondent was not validly nominated by her political party; The Court also held that the election was not conducted in substantial compliance with the provisions of the Electoral Act.
42.	Bayelsa	Eddi M.S Julius	APC	Ogola Foster	PDP	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act & corrupt practices (improper accreditation, massive fraud and irregularities).	Petition dismissed	The Tribunal held that the petitioner failed to prove beyond reasonable doubt that the Respondent presented forged certificate to INEC; That the petitioner also failed to lead proper evidence in proof of the other grounds of the petition.	Appeal dismissed	The Court held that the Appellant/Petitioner failed to prove his case as required by law.
43.	Bayelsa	Preye Aganaba Steven	APC	Emmanuel Paulker	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act.	Petition dismissed	The Tribunal held that the election was conducted in substantial compliance with the Electoral Act.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
							REASONS	DECISION	REASONS	
44.	Bayelsa	Diekedie A.U Diekedie	NCP	Emmanuel Paulker	PDP	Unlawful exclusion;	Petition dismissed	The Tribunal held that the Petitioner failed to lead positive and cogent evidence to show that he or his party submitted the prescribed nomination Forms to INEC to contest the election; Failure of the Petitioner to show that his party conducted a valid party primary as required by law where he emerged as its candidate for the election.	Appeal dismissed	The Court held that the Appellant/Petitioner was indeed not validly nominated, and he could not be said or even heard to have been unlawfully excluded from the said election.
45.	Benue	Daniel Onjeh	APC	David Mark	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act. & Corrupt practices (massive rigging, deliberate reort to manual accreditation, inducement of voters, non collation of results etc).	Petition dismissed	The Tribunal held that the evidence adduced by the Petitioner to prove his allegations were not credible and cogent enough to establish his claims; The Tribunal further held that the bags of documents tendered by the Petitioner's witnesses, none of who was either the maker or privy to the making of the documents renders them documentary hearsay to which the court cannot attach any probative value.	Appeal Allowed Election of the Respondent nullified.	The Court held that it was wrong for INEC to have announced the result of the election when collation was ongoing in 7 of the 9 LGAs; The Court also held that the election was fraught with so many irregularities that it failed all tests of "freeness and fairness
46.	Cross River	Dr. Julius Okputu	LP	Hon. Dr. Mrs. Rose Okoji Oko	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act. & Corrupt practices	Petition dismissed	The newly reconstituted Tribunal set aside it proceedings from inception and held that it has no jurisdiction to entertain the petition, having been caught up by the 180 days time limit.	Appeal dismissed	The Courtheld that the appeal was incompetent since the court from which it emanated had no jurisdiction to adjudicate on it as the time limit set for the trial court to hear and determine it had elapsed. On this ground, the Court also declined jurisdiction to entertain the appeal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
							REASONS	DECISION	REASONS	
47.	Cross River	Dr. Sandy Onor	LP	Rt. Hon. John Owan Enor	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act. & Corrupt practices	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.	Appeal dismissed	The Court affirmed the decision of tribunal and held that the application for the pre-hearing notice was not within stipulated time.
48.	Cross River	Senator Bassey Edet Otu	LP	Gershom Bassey	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act. & Corrupt practices.	Petition dismissed	That the Petitioner was unable to prove his allegations of corrupt practices & the non-compliance with the Act	Appeal dismissed	The Court held that the failure of the petitioner to appeal a fundamental aspect of the Tribunal's judgment made the appeal incompetent
49.	Delta	Hon. John Halims Agoda	APC	Chief Ighoyota Amori	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act. & Corrupt practices	Petition dismissed	Tribunal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition.		
50.	Delta	Pius Ebiyemi Emiko	APC	Sen. James Ebiowou Manager	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and Corrupt practices.	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.		
51.	Delta	Barr. Ovie A. Omo-Agege	LP	Chief Ighoyota Amori	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and Corrupt practices.(over-voting, improper accreditation, arbitrary allocation of votes etc).	Petition dismissed	The Tribunal held that the Petitioner had failed to prove beyond reasonable doubt the allegations of crime and to establish his claim of non-compliance with the Electoral Act as required by law.	Appeal allowed Petitioner// Appellant declared winner	The Court of Appeal held that the petitioner had sufficiently established over-voting and unlawful votes through the evidence of his witnesses. After re-computing the lawful votes, the Court of Appeal found the petitioner as the lawful winner of the election and thereby reversed the judgment of the Tribunal.
52.	Ebonyi	Anyigor Vincent	APC	Chief Obinna Ogba	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act.	Petition dismissed	The Tribunal held that the Petitioner failed to establish their case with cogent evidence.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
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53.	Ebonyi	Hon. Peter Oge Aloji	LP	Dr. Sam Ominyi Egwu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act.	Petition dismissed	The Tribunal held that the Petitioners failed to establish their allegations against the Respondents.		
54.	Ebonyi	Prince Elechi N. Elechi	LP	Chief Obinna Ogba	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act. & Corrupt practices.	Petition dismissed	The Tribunal held that the Petitioners had failed to establish their case.		
55.	Edo	Hon. Samson Raphael Osagie	APC	Pharmacist Matthew Aisagbonriodion	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act. & Corrupt practices.	Petition struck out	The Tribunal ruled that the Petition was incompetence due to improper presentation and signing of the petition.		
56.	Ekiti	Amb. Gbenga Olofin	APC	Fatimat O. Raji-Rasaki	PDP	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (over-voting, thuggery, violent disruption of voting process, intimidation of voters & manipulation of the election by INEC and the Respondent's agents).	Petition dismissed	The Tribunal held that the Petitioner failed to prove the allegations of intimidation, over-voting and connivance of the Respondent's agents with the staff of INEC.	Appeal dismissed	The Court of Appeal upheld the findings of the Tribunal that the Petitioner failed to adduce sufficient evidence to prove the allegations contained in his petition.
57.	Ekiti	Anthony A. Adeniyi	APC	Abiodun Olujimi	PDP	Respondent was not qualified to contest; Respondent was not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove that the Respondent was a staff of NCC and did not resign from office within the constitutional stipulated time.	Appeal dismissed	Court of Appeal held that the Tribunal erred in holding that the Petitioner didn't prove that the Respondent was a staff of NCC. However, it held that the Respondent had resigned within time to compete in the election.
58.	Ekiti	Lawal Olutunde	PDC	Fatimat O. Raji-Rasaki	PDP	Respondent was not duly elected by majority of lawful votes; Unlawful exclusion; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the petitioner had failed to adduce evidence to prove unlawful exclusion & non-compliance with the Electoral Act.	Appeal dismissed	It was held that the Petitioner had failed to establish that his party validly nominated him and therefore he cannot complain of unlawful exclusion.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
							REASONS	DECISION	REASONS	
59.	Enugu	Dr. Ben Nwoye	APC	Gilbert Emeka Nnaji	PDP	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.		
60.	Enugu	Dr. Chimaroke Ogbonna	APC	Gilbert Emeka Nnaji	PDP	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Full cancellation	The Tribunal held that the election was marred by substantial irregularities such as improper accreditation, over-voting etc.	Appeal allowed Election of the Respondent upheld.	The Court held that the non-compliance established by the petitioner was not substantial & that the Tribunal wrongly relied on inadmissible evidence to reach its conclusion.
61.	Enugu	Philip Chukwudi Eze	APC	Sen. Ike Ekwere madu	PDP	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices; Unlawful exclusion.	Petition dismissed	The Tribunal held that the petitioner had failed to adduce evidence to prove unlawful exclusion & non-compliance with the Electoral Act	Appeal dismissed	The Court held that the petitioner did not lead any cogent evidence to support his petition & thus affirmed the judgment of the Tribunal
62.	Enugu	Rt. Gen. (Barr.) Josef Okonkwo Jude Okoloagu	APC	Barr. Chukwuka Utazi	PDP	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time	Appeal struck out	The Court held that the grounds of appeal filed by the Petitioner were incompetent and unknown to any law.
63.	Enugu	Chief William Ezeugwu	APGA	Barr. Chukwuka Utazi	PDP	Respondent was not duly elected by majority of lawful votes; Respondent not qualified to contest.	Petition struck out	The Tribunal held that the petition was incompetence due to improper presentation and signing of the petition. Also that the petitioner cannot question the nomination of the Respondent not being a member of the Respondent's party.	Appeal dismissed	The Court held that the petition was properly signed. However, it also affirmed the ruling of the Tribunal that the petitioner does not have the locus to question the nomination of the Respondent.
64.	Enugu	Okafor Nwabueze	APGA	Gilbert Emeka Nnaji	PDP	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Full cancellation	Based on the tribunal's nullification of the entire election in an earlier petition between the respondent and another candidate, it held that the present petition would be guided by such decision.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
							REASONS	DECISION	REASONS	
65.	FCT	Adamu Sidi	APC	Philip Tanimu Aduda	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (widespread malpractices & over-voting).	Petition dismissed	Petitioner failed to prove allegations of malpractices and over-voting.	Appeal dismissed	Failure of the petitioner to adduce any cogent evidence to prove the grounds of his petition.
66.	Gombe	Hon. Usman Bello Kumo	PDP	Senator Muhammad Danjuma Goje	APC	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal ruled that the petition was both incompetent (because it was filed out of time) & lacking merit (because petitioner failed to adduce evidence to prove his allegations.		
67.	Imo	ACCORD (NO. 1)		INEC		Unlawful exclusion	Full cancellation	The Tribunal held that the Petitioner successfully established that it was unlawfully excluded from the Senatorial election for the Imo North, as its logo and symbols were not on the customized ballot paper meant for the said election.	Appeal struck out	The Court held that the Appellant has no competent record of appeal upon which the Court can assume jurisdiction to hear it. This appeal was initiated by Achonu A. Nneji candidate of the PDP in the election
68.	Imo	ACCORD (No. 2)		INEC & 4 Ors		Unlawful exclusion	Full Cancellation	The Tribunal held that the Petitioner successfully established that it was unlawfully excluded from the Senatorial election for Imo North, as its logo and symbols were not on the customized ballot paper meant for the said election. It also held that the Petitioner shall be a candidate in the Imo North Senatorial District re-run election to be conducted within 90 days.	Appeal dismissed	The Court held that the Tribunal rightly held that the Respondent/Petitioner proved his case. The findings of the Tribunal are unassailable and this court has no reason to interfere with them as they are backed by credible and cogent evidence.
69.	Imo	Felix Chidi Idiga	ACCORD	Hope Uzodinma	PDP	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal held that the petition is not predicated or based upon any valid ground and requisite pleaded facts and evidence to prove them; The petition is incompetent having failed to disclose any reasonable cause of action triable by the Tribunal. ???		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
							REASONS	DECISION	REASONS	
70.	Imo	Rita A. Ibemere	ACCORD	INEC		Unlawful exclusion	Petition dismissed	The Tribunal held that the Petition was abandoned for Petitioner's failure to apply for Pre-hearing Notice within the 7 days prescribed time.	Appeal allowed	The decision of the Tribunal dismissing the Appellant's petition was patently wrong as the Appellant applied for Pre-hearing Session within the time stipulated in paragraph 18(1) of the 1st Schedule to the Act. Petition is remitted back to the Lower Tribunal to be determined on its merit
71.	Imo	Benjamin Nwajumogu	APC	Achonu A. Nneji & 60 Ors	PDP	Non-compliance with the Electoral Act& corrupt practices (widespread violence, improper accreditation, intimidation of voters, bribery, non-voting & thuggery); Respondent was not duly elected by majority of lawful votes.	Petition dismissed	Failure of the Petitioner to tender the voters register and the voters card of persons alleged to have been disenfranchised to establish his claim of non-voting is fatal to his case; Failure of the Petitioner to establish a nexus between the Respondent and the culprits of the alleged criminal acts committed during the election.	Appeal struck out	The Court held that the appeal was built on a petition that has not been stamped or sealed by the lawyer who signed and filed it including the application for the issuance of the Pre-hearing Notice and this renders the processes incompetent; Theirregularity also rendered the proceedings of the Tribunal incompetent.
72.	Imo	Osita Izunaso	APC	Hope Uzodinma	PDP	Respondent was not duly elected by majority of lawful votes; Non-compliance with Act& corrupt practices (violence, improper accreditation due to the failure to use the card, manipulation of the election process, non-voting etc).	Petition dismissed	Failure to prove non-compliance with the Electoral Act on polling unit by polling unit basis in rebuttal of the presumption of authenticity of the election result declared by INEC; Failure of the petitioner to establish the grounds of his petition to entitle him to judgment.	Appeal dismissed	Failure of the Appellant to tender in evidence, the Voters' Register used at the election in prove of improper accreditation or over-voting; Failure to call at least a registered voter from each of the polling units in each ward of the District to show that they could not vote for reasons alleged by the Appellant.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
							REASONS	DECISION	REASONS	
73.	Imo	PDP	PDP	Benjamin Nwajumogu	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (violence, disruption of the election process, improper accreditation & non-voting).	Petition dismissed	Failure of the Petitioner to tender the voters register and the voters card of persons alleged to have been disenfranchised to establish his claim of non-voting is fatal to his case; The petitioner failed to establish a nexus between the Respondent and the culprits of the alleged criminal acts.	Appeal allowed in part	The lower Tribunal was wrong to have struck out the motion of the Appellant seeking to be joined as a party, without giving any reasons for the decision; But, upon stepping into the position of the Tribunal to consider the application on its merit pursuant to section 15 of the Court of Appeal Act, 2004, it is obvious that any attempt to join the Appellant at the stage it brought the application 4 months after the filing of the petition, would derail the entire trial of the petition as doing so would introduce substantial amendment to the petition, which would undermine the issue of 180 days allowed for the determination of the petition.
74.	Imo	Uchekukwu Onyeagocha	PDP	Samuel N. Anyawu	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (violence, disruption of the election process, improper accreditation & non-voting). Respondent is not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner's witnesses were not real or direct participants in the election process not being voters, polling agents, ward or local government agents and are therefore, not credible witnesses.	Appeal struck out	The Court held that the appeal was built on a petition that has not been stamped or sealed by the lawyer who signed and filed it including the application for the issuance of the Pre-hearing Notice and this renders the processes incompetent; The irregularity renders the proceedings of the Tribunal incompetent.
75.	Kano	Mega Progressive Peoples Party	MPPP	Engr. Mohammed Rabiu Kwankwaso	APC	Unlawful exclusion; Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner failed to prove that his political party validly nominated him.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
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76.	Kano	Sen. Basheer Garba Mohammed (No. 1)	PDP	Engr. Mohammed Rabiu Kwankwaso	APC	Unlawful exclusion of party; Non-compliance with the Electoral Act & corrupt practices (rigging, thumb printing of ballot boxes, failure of collate results etc).	Petition dismissed	The Tribunal held that the Petitioner lacks the locus standi to challenge the outcome of the election having been lawfully excluded from participating in the poll. Failure of the Petitioner to prove the grounds of his petition.	Appeal dismissed	The Court held that petitioner failed to adduce credible evidence in support of their petition & thus affirmed the judgment of the Tribunal.
77.	Kano	Sen. Basheer Garba Mohammed (Np. 2)	PDP	Engr. Mohammed Rabiu Kwankwaso	APC	Respondent was not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act.	Petition dismissed	The Tribunal held that Petitioner failed to prove their allegations against the Respondent. (Petitioner only called one witness whose entire evidence was ruled as hearsay.	Appeal dismissed	The Court held that the sole witness of the petitioner led no iota of evidence in support of the allegations contained in the petition & thus affirmed the judgment of the Tribunal.
78.	Kogi	Ogembe Salau Ahmed	PDP	Sen. Mohammed Abdulalami Ohiare	APC	Respondent was not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act	Petition dismissed	The Tribunal held that the petition was defective & incompetent because the petitioner did not seek for the proper relief even though he had proved the allegations of the respondent's non-qualification.	Appeal allowed Election of the Respondent nullified.	The Court held that APC did not conduct a valid primary election as recognized by the Electoral Act and thus the respondent was not validly nominated. It therefore ordered that INEC conduct fresh election within 90 days.
79.	Kogi	Sen. Atai Aidoko Ali Usman	PDP	Abdulrahman Abubakar	APC	Respondent was not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act	Petitioner Declared Winner	The Tribunal held that APC did not validly nominate the Respondent & that it also did not conduct a primary election as recognized by the Electoral Act.	Appeal allowed in part Election of the Respondent nullified.	The Court held that the finding of the Tribunal that APC did not conduct a valid primary election as recognized by the Electoral Act was apt. However, it held that the Tribunal was wrong to have declared the petitioner the winner when the petitioner did not seek such in his prayers. It therefore ordered that INEC conduct fresh election within 90 days.
80.	Kogi	Sen. Smart Adeyemi (No. 1)	PDP	Hon. Dino Melaye	APC	Respondent was not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act	Petition struck out	The Tribunal ruled that the petition was deemed abandoned for Petitioner's failure to apply for pre-hearing notice within time.	Appeal allowed	The Court ruled that since the pre-hearing session had already commenced, albeit that the notice was applied out of time, it was wrong for the Tribunal to strike out the petition.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
							REASONS	DECISION	REASONS	
81.	Kogi	Sen. Smart Adeyemi (No. 2)	PDP	Hon. Dino Melaye	APC	Respondent was not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act	Petition dismissed	The Tribunal held there was no credible evidence adduced to prove the allegations of non-qualification & non-compliance contained in the petition.	Appeal dismissed	The Court held that the petitioner did not lead any cogent evidence to support the allegations contained in his petition & thus affirmed the judgment of the Tribunal.
82.	Kwara	Abdulrahman Abdularazaq	PDP	Senator Abubakar Bukola Saraki	APC	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act.	Petition dismissed	The Tribunal held that the Petitioner failed to prove his allegations of non-compliance or corrupt practices.	Appeal dismissed	The Court held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the judgment of the Tribunal.
83.	Kwara	Ashiru Yisa Oyelola	PDP	Rafiu Adebayo Ibrahim	APC	Respondent was not duly elected by majority of lawful votes; Non-compliance with the Electoral Act	Petition dismissed	The Tribunal held that the petition was incompetent since it was filed outside the statutory period for filing of an election petition.	Appeal dismissed	The Court held that the petition was filed out of time & thus statute-barred and incompetent
84.	Lagos	Hon. Segun Adewale	PDP	Hon. Solomon Olamilekan Adeola	APC	Respondent was not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act	Petition dismissed	The petitioner failed to prove his allegation of non-qualification or non-compliance with the Electoral Act.	Appeal dismissed	The Court held that the notice of appeal was invalid & thus, the appeal was incompetent
85.	Lagos	Olabisi Ayodele Salis	PDP	Bareehu Olugbenga Ashafa	APC	Respondent was not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act	Petition struck out	The Tribunal ruled that the petition was deemed abandoned for Petitioner's failure to apply for pre-hearing notice within time.	Appeal dismissed	The Court held that the petitioner filed the pre-hearing notice out of time & thus making the petition incompetent.
86.	Nasarawa	Hon. Idris Yahuza Yakubu	APC	Hon. Philip A. Gyunka	PDP	Respondent was not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the Petitioner failed to establish that the respondent did not score a majority of lawful votes cast at the election.		
87.	Nasarawa	Hon. Samuel E. Allu (No. 1)	APGA	Hon. Philip Aruwa Gyunka	PDP	Respondent was not duly elected by majority of lawful votes.	Petition struck out	The Tribunal held that the couching of the ground of the petition was not in conformity with the Electoral Act.	Appeal allowed	The Court reversed the decision of the Tribunal ruling that the ground for the petition was competent & not defective. It ordered that the petition be heard on its merit
88.	Nasarawa	Hon. Samuel E. Allu (No. 2)	APGA	Hon. Philip Aruwa Gyunka	PDP	Respondent was not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the Petitioners failed to establish their allegations against the Respondents.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
							REASONS	DECISION	REASONS	
89.	Nasarawa	Sen. Suleiman Asonya Adokwe	PDP	Arc. Salihu Hussaini Egyegbola	APC	Respondent was not duly elected by majority of lawful votes Non-compliance with the Electoral Act;	Petition dismissed	The Tribunal held that the election was held in substantial compliance with the Electoral Act save for a few Polling Units where results were nullified.		
90.	Ogun	Adedapo Abidoun (MFR)	APC	Prince Buruji Kasjhamu	PDP	Respondent was not duly elected by majority of lawful votes Non-compliance with the Electoral Act; Respondent not qualified to contest.	Partial cancellation	The Tribunal nullified the election in 110 Polling Units due to massive irregularities established by the Petitioner and ordered INEC to conduct fresh elections in the affected Polling Units.	Appeal allowed Respondent's election upheld	The Court held that the evaluation of the evidence by the tribunal was perverse and that the petitioner did not adduce cogent evidence to warrant the partial cancellation of the election.
91.	Osun	Francis Adenigba Fadahunsi	PDP	Christopher Babajide Omoworare	APC	Respondent was not duly elected by majority of lawful votes Non-compliance with the Electoral Act.	Petition dismissed	The Tribunal held that the Petitioner had failed to establish his case of corrupt practice & irregularities.	Appeal dismissed	The Court held that the petitioner did not lead any cogent evidence to support his petition & thus affirmed the judgment of the Tribunal.
92.	Oyo	Chief Luqman Oyebisi Ilaka	Accord	Rt. Hon. Monsurat J. A. Sunmonu	APC	Respondent was not duly elected by majority of lawful votes Non-compliance with the Electoral Act.; Respondent not qualified to contest	Petition dismissed	The Tribunal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition.	Appeal dismissed	The Court struck out the appeal on the grounds that the Notice of Appeal was not properly stamped and sealed with a Legal Practitioner's seal in accordance with the provisions of the Legal Practitioners Act. Thus, the Appeal was incompetent.
93.	Oyo	Sen. Olufemi Akinola Lanlehin	Accord	Rilwan Adesoji Akanbi	APC	Respondent was not duly elected by majority of lawful votes Non-compliance with the Electoral Act.; Respondent not qualified to contest	Petition dismissed	The Tribunal held that the Petitioner had failed to establish his allegations against the Respondent.	Appeal dismissed	The Court held that petitioner did not lead any credible evidence to establish his case & thus affirmed the judgment of the Tribunal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
							REASONS	DECISION	REASONS	
94.	Plateau	John Nanzip Shagaya	APC	General Jeremiah Timbut Useni (rtd)	PDP	Respondent was not duly elected by majority of lawful votes Non-compliance with the Electoral Act.	Petition dismissed	The Tribunal held that the petitioner failed to prove the allegations of over-voting or corrupt practices.	Appeal dismissed	The Court held that the non-compliance established by the petitioner was not substantial & thus affirmed the judgment of the Tribunal.
95.	Plateau	Mrs. Eunice Ayisa Sambo	APC	Jonah David Jang	PDP	Respondent was not duly elected by majority of lawful votes Non-compliance with the Electoral Act.	Petition dismissed	The Tribunal held that the Petitioner did not lead evidence to show that there was substantial non-compliance with the Electoral Act, which affected the outcome of the election.	Appeal dismissed	The Court held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the judgment of the Tribunal.
96.	Rivers	Andrew I. Uchendu & Anor	APC	George Thomson Sekibo & 3 Ors	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, rigging, disenfranchisement of voters, fraud, improper accreditation etc).	Petition dismissed	The Petitioner lacks the locus standi to present the petition as, the requisite notice for his party primary which nominated him to contest the election fell short of the required 21 days enjoined by section 85(1) of the Electoral Act; Failure of the Petitioner to prove allegation of non-voting.	Appeal allowed Respondent's election nullified.	The election was not conducted in substantial compliance with the Electoral Act; The trial Tribunal having earlier ruled on the issue of locus standi, which the Respondents failed to appeal against, should not have revisited the issue at the judgment stage overruling itself having become functus officio. This amounts to the Tribunal sitting on appeal over its own decision.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION	TRIBUNAL		COURT OF APPEAL	
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97.	Rivers	Magnus Ngei Abe	APC	Olaka Johnson Nwogu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, rigging, disenfranchisement of voters, fraud, improper accreditation etc).	Petition dismissed	Failure of the Petitioner to prove the allegations of crime and non-compliance with the provisions of the Electoral Act, or that the non-compliance substantially affected the result of the election; The Tribunal held that the use or non-use of the Smart Card Reader Machines does not constitute a ground to challenge an election.	Appeal allowed; Respondent 's election nullified	The Court held that none of the grounds for the petition relate to the improper or non-use of the Smart Card Readers as erroneously held by the Tribunal. The case of the Appellant on the Card Reader was only in the context of proof of fact of non-compliance with accreditation process as required by the Electoral Act and other applicable rules, regulations and guidelines made pursuant thereto; The failure of the lower Tribunal to make proper evaluation and review of the oral and documentary evidence brought before it, is a failure of justice.
98.	Rivers	Otelemaba Amachree & Anor	APC	Osinaka Ideozu & 6 Ors	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (over-voting, improper accreditation, violence & non-collation of results).	Petition dismissed	Failure of the Petitioner to show that the non-compliance complained of has substantially affected the results of the election; Failure of the Petitioner to show that there was no voting at all but that votes were merely allocated to political parties.	Appeal allowed Respondent 's election nullified	The Court held that the Respondent failed to discharge the burden proving the positive assertion that the election was conducted in compliance with the Electoral Act and the approved Guidelines and Regulations. The Tribunal was in error to have placed the burden of proof squarely on the Petitioner/Appellant.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION DECISION		TRIBUNAL		COURT OF APPEAL	
								REASONS	DECISION	REASONS	
99.	Taraba	Sani Ali	APC	Danladi Sani Abubakar	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (over-voting, improper accreditation & rigging).		Partial cancellation	The Tribunal cancelled elections of 48 Polling Units for non-compliance with the Electoral Act & ordered INEC to conduct fresh elections in the affected Polling Units.	Appeal allowed Respondent's election upheld.	The Court held that the evidence led by the Appellant/ Petitioner did not prove the allegations contained in his petition & that the Tribunal wrongly evaluated the evidence before in coming to its conclusion.
100.	Taraba	Waziri Salihu Mamman	APC	Sen. Emmanuel Bwacha	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (over-voting, improper accreditation & rigging). Petition dismissed			The Tribunal held that the petition is incompetent having not been properly signed by the petitioner or his solicitor.	Appeal dismissed	The failure of the petitioner or his solicitor to sign the petition renders it incompetent.
101.	Taraba	Yusuf Abubakar Yusuf	APC	Marafa Bashir Abba	PDP	Respondent not duly elected by majority of lawful votes.	Petitioner Declared Winner		The Petitioner successfully proved the unlawful swapping of results at the Ward Collation Level (Takalafiya & Kaigama Wards), which affected the final result.	Appeal dismissed	The Court held that the petitioner proved his case to entitle him to the reliefs sought in his petition.
102.	Taraba	Barr. M. B. Mustapha	PDM	Alh. Sani Abubakar Danladi	PDP	Respondent is not qualified to contest.	Petition struck out		The Tribunal upheld the objection and held that the petition was filed out of time and that the petition was not properly couched and therefore incompetent.	Appeal dismissed	The Court affirmed the decision of the tribunal and held that the sole ground of the petitioner's petition was incompetent.
103.	Taraba	Ishaya G. Bauka	SDP	Sen. Emmanuel Bwacha	PDP	Respondent not duly elected by majority of lawful votes.	Petition struck out		The Tribunal held that the couching of the ground of the petition was not in conformity with the provisions of the Electoral Act.	Appeal dismissed	

**(2) HOUSE OF REPRESENTATIVES**

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
105.	Abia	Collins Chudi Onyeama	APGA	Samuel Onuigbo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (over-voting, improper accreditation & rigging)	Petition dismissed	Failure to proffer cogent evidence to proof that the Respondent was not duly elected; Failure to prove beyond reasonable doubt, the allegations of crime in the petition.		
106.	Abia	Ejike Oji	APGA	Nkeiruka Onyejiocha	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (over-voting, improper accreditation & rigging)	Petition dismissed	The Tribunal held that the petition was founded upon hearsay evidence, as Petitioner's witnesses could not offer direct testimonies in proof of the petition; Failure of the Petitioner to explain how the documents tendered in evidence relate to his claims or to call the makers to explain it.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
107.	Abia	Kennedy C. Adiele	APGA	Uzoma Nkem Abonta	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices.	Petition dismissed	The Tribunal held that the petitioner failed to provide sufficient evidence to prove that the election was marred by substantial irregularities that affected the result of the election or due return of the Respondent and to prove beyond reasonable doubt the allegations of crime; It also held that the failure to use the Card Reader does not constitute a ground to challenge the outcome of an election or non-compliance with the Electoral Act.	Appeal dismissed	The Court held that the Appellant failed to prove the allegation of non-compliance with the provisions of the Electoral Act polling unit by polling unit as required by law; It also held that the Appellant failed to tabulate the number of registered voters, the total number of votes cast and the votes scored by each candidate to establish that the Respondent did not score the majority of lawful votes cast at the election.
108.	Abia	Nnamdi Iro Oji	APGA	Nkole Ndukwe	PDP	Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Petitioner failed to prove that the duplicate copies of the result sheets tendered in evidence were actually the ones collected from INEC from the various polling units during the election; The petitioner failed to prove that the Respondent was unduly returned as winner of the election.	Appeal dismissed	The Court held that the trial Tribunal did a meticulous evaluation of the admissible evidence in this case and came to the correct findings and conclusions, which the Court of Appeal cannot interfere with.
109.	Adamawa	Michael Kufuro Zidon	PDP	Kwamoti Bitrus La'ori	SDP	Respondent not qualified to contest.	Petition dismissed	The Petitioner failed to establish his allegations of non-qualification against the Respondent.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
110.	Adamawa	Umaru Dauda Duhu	APC	Hon. Adamu Kamale	PDP	Respondent not duly elected by majority of lawful votes. Non-compliance with the Electoral Act;	Petition struck out	The Tribunal held that the wordings of most of the grounds and paragraphs of the petition were vague & ambiguous and struck them out. It concluded that the remaining paragraphs were unable to sustain the petition.		
111.	Akwa Ibom	Barrister Imo Effiong Akpan	APC	Hon. Iboro Asuquo Ekanem	PDP	Respondent not duly elected by majority of lawful votes. Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations of corrupt practices & non-compliance with the Electoral Act.		
112.	Akwa Ibom	Hon. Edwin Sunday Joseph	APC	Hon. Michael Ekon Enyong	PDP	Non-compliance with the Electoral Act;& corrupt practices.	Petition struck out	The Tribunal upheld the objection of the Respondent and ruled that the constituency mentioned in Petitioner's petition was non-existent. Thus, the petition was incompetent.		
113.	Akwa Ibom	Hon. Ime Okon Bassey	APC	Dr. Henry Okon Archibong	PDP	Respondent not duly elected by majority of lawful votes. Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal ruled that the petition was defective & incompetent as a result of the petitioner challenging a wrong constituency in his petition.		
114.	Akwa Ibom	Hon. Robinson Uwak	APC	Hon. Nse Bassey Ekpeyong	PDP	Non-compliance with the Electoral Act& corrupt practices; Respondent not qualified to contest	Petition dismissed	The petitioner failed to prove his allegations of non-qualification or non-compliance with the Electoral Act.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
115.	Akwa Ibom	Hon. Uwemedimo Damian Udom	APC	Hon. Emmanuel Ekon	PDP	Respondent not duly elected by majority of lawful votes. Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations of corrupt practices.		
116.	Akwa Ibom	Offiong Eshiet Amos	APC	Hon. Emmanuel Isaac Ukoete	PDP	Respondent not duly elected by majority of lawful votes. Non-compliance with the Electoral Act& corrupt practices,	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations of corrupt practices & the non-compliance with the Electoral Act.		
117.	Akwa Ibom	Paul Akpan Owo	AP	Iboro Akpan Ekanem	PDP	Respondent not duly elected by majority of lawful votes. Non-compliance with the Electoral Act& corrupt practices,	Petition dismissed	The Tribunal held that the Petitioner had failed to prove that there was substantial irregularity in the conduct of the election, which substantially affected the results.		
118.	Anambra	Agbasi Philip Obiorah	APC	Azubogu Chris Emeka	PDP	Unlawful exclusion	Petition struck out	The Tribunal held that the Petitioner lacked the locus standi to present the petition not being a candidate in the Federal Constituency election held on 28th March, 2015.		
119.	Anambra	Chinwe Nwaebili	APGA	Chukwuka Onyema	PDP	Respondent not duly elected by majority of lawful votes. Non-compliance with the Electoral Act& corrupt practices,	Petition dismissed	Inability of the Petitioner to show to the satisfaction of the Court, the non-compliance of, or that any irregularity affected the outcome of the election.	Appeal dismissed	The election was conducted substantially in accordance with the principles of the Electoral Act; the non-compliance complained of by the Appellant/Petitioner did not affect substantially the result of the election.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
120.	Anambra	Chukwuemeka O. Ojukwu	APGA	Chris Emeka Azubogu	PDP	Respondent not duly elected by majority of lawful votes. Non-compliance with the Electoral Act& corrupt practices,	Petition dismissed	Failure of the Petitioner to tender through his party agents or INEC officials who made or signed the duplicate copies of the disputed polling units result sheets; Failure of the Petitioner to relate through his witnesses any cogent evidence of the allegation of non-compliance with what transpired at the polling units and ward collation centres.	Appeal dismissed	Failure of the Appellant/ Petitioner to rebut the presumption that the results declared by INEC in favour of the Respondent were correct; Failure of the Appellant to prove even on a balance of probabilities, the allegation of falsification of results by some unnamed persons in favour of the Respondent.
121.	Anambra	Emeka Nwosu	APGA	Eucharia Azodo	PDP	Respondent not duly elected by majority of lawful votes. Non-compliance with the Electoral Act& corrupt practices	Petition dismissed	Failure of the Petitioner to establish with cogent evidence, his allegations of corrupt practices and non-compliance as required by law.		
122.	Anambra	Ferdinald D. Nwankwo	APGA	Okechukwu Nnamdi Eze	PDP	Respondent not duly elected by majority of lawful votes. Non-compliance with the Electoral Act& corrupt practices	Petitioner declared winner	The Tribunal held that the Petitioner successfully rebutted the presumption correctness of the declaration of return made by INEC in favour of the Respondent as the winner of the election; The Petitioner succeeded in demonstrating that he won the election by majority of lawful votes cast at the election.	Appeal dismissed	The Court held that the Tribunal was on a firm ground when it held that the Respondent/ Petitioner proved his case and was entitled to judgment; The Respondent clearly established that there was an error in the figures declared by INEC upon which the Appellant was wrongly returned as the winner of the election.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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123.	Anambra	Fort Ifeanyi Dike	APC	Anohu Chukwuemeka	PDP	Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner's 31 witnesses except one, had credibility issues, as they failed to produce or tender their membership cards of the APC, voters card and appointment tags as polling and collation agents as they claimed. Their evidence cannot be relied upon by the court in the circumstances; Failure of the Petitioner to produce the voters' register for each of the 278 polling units in the Constituency to show that election was not held at the said polling units.		
124.	Anambra	Godson Ezenagu	APGA	Anayo Nnebe	PDP	Respondent not duly elected by majority of lawful votes.	Petition dismissed	Failure of the Petitioner to join in his petition persons against whom criminal allegations were made; Failure of the Petitioner to plead Forms EC8A (II) and EC8B (II) series for the House of Representatives election; Failure of the Petitioner to provide any evidence in support of his case.	Appeal dismissed	Failure of the Appellant/ Petitioner to sufficiently plead the documents he intended to rely on at the trial was fatal to his case.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
125.	Anambra	Hygers Ifeanyi Igwebuikie	APGA	Sopuluchukwu Ezeonwuka	PDP	Respondent not duly elected by majority of lawful votes. Non-compliance with the Electoral Act& corrupt practices	Petition dismissed	The Tribunal held that the petitioner failed to call any polling unit or ward agents of himself or his party as witnesses to testify and give evidence in proof of his case.	Appeal dismissed	Failure of the Appellant/ Petitioner to lead cogent and credible evidence to entitle him to the declaration sought as the winner of the election; It was wrong for the Appellant to have called the polling unit agents of other political parties as his witnesses.
126.	Anambra	Ifeanyi Ibezi	APGA	Obinna Chidoka	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices; Respondent not qualified to contest.	Petition dismissed	Failure of the Petitioner to call any witness both at the polling unit or ward level to establish his allegation of falsification of result and wrong entries in Form EC8A (II) used for election in the disputed 22 polling units in Obosi Ward; The Petitioner has no locus standi to challenge the nomination of the Respondent as the issues relates to the internal affairs of his party, being a pre-election matter over which the Tribunal has no jurisdiction to entertain.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
127.	Anambra	Momah Chudy Ifeanyi Mark	APGA	Anohu Chukwuemeka	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner's reply to the Respondent's defence is incompetent as it contained new issues and facts not raised in the Respondent's defence and the substantive petition; Failure of the Petitioner to call direct evidence of persons who functioned at the polling units as voters, polling agents, INEC officials or security agents in proof of the alleged irregularities at polling units; The Respondent scored the majority of the lawful votes cast at the election and he is entitled to be returned as the winner.	Appeal dismissed	The Court held that the Appellant/Petitioner failed to adduce cogent and credible evidence in support of his petition and affirmed the decision of the Tribunal dismissing the petition.
128.	Anambra	Tony Nwoye	PDP	Peter Madubueze	APGA	Respondent not duly elected by majority of lawful votes.	Petitioner Declared Winner	The Returning Officer failed to collate results from Nsugbe ward 1. It is not for him to act on his whims and caprices. The manner he dismissed the plea to tarry a while for the arrival of more results which were not previously collated, portray him to be a very hasty fellow at best or at worst someone who had a hidden agenda; The Petitioner proved that he scored the majority of the lawful votes cast at the election;		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
129.	Bauchi	Abdulkadir Ibrahim Mohammed (No. 1)	PDP	Hon. Dr. Muhammad Sani Abdu	APC	Respondent not qualified to contest.	Petition dismissed	The Tribunal dismissed the preliminary objection of the Respondent on the grounds that he has no right to challenge the nomination of the Petitioner as candidate for the election.	Appeal allowed	The Court held that the Appellant has the locus to challenge the nomination process of the /Petitioner/ Respondent and since the petitioner was not validly nominated by his political party, his petition is incompetent.
130.	Bauchi	Abdulkadir Ibrahim Mohammed (No. 2)	PDP	Hon. Dr. Muhammad Sani Abdu	APC	Respondent not qualified to contest	Petition dismissed	The Tribunal ruled that there was evidence showing that the Respondent was validly nominated by his political party at a primary election.	Appeal dismissed	The Court held that the Petitioner lacked the locus to challenge the nomination process of the Respondent.
131.	Bauchi	Alhamdu Shagaiya	APC	Markus Makama	PDP	Respondent not qualified to contest; Non-compliance with the Electoral Act & corrupt practices.	Withdrawn	Petition struck out having been withdrawn by the Petitioner		
132.	Bauchi	Aminu Mohammed Danmaliki	PDP	Shehu Aliyu Musa	APC	Respondent not qualified to contest. Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Respondent was validly nominated since the party followed proper steps in withdrawing the nomination of its prior candidate who was replaced with the Respondent.	Appeal dismissed	The Court held that the Petitioner lacked locus to challenge the nomination process of the Respondent since he was not a member of the Respondent's political party.
133.	Benue	Etukwu Onah	APC	Samson Okwu	PDP	Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	Failure of the Petitioner to prove that there was no valid accreditation of voters during the election; Failure of the Petitioner to prove his case on the balance of probabilities as required by law.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
134.	Benue	John Tion	PDP	Mark Terseer Gbillah	APC	Non-compliance with the Electoral Act& corrupt practices. Respondent not duly elected by majority of lawful votes.	Petition struck out	The Tribunal held that the petition is incompetent having being filed outside the 21 days constitutionally provided; automatically, the Tribunal lacks the jurisdiction to entertain it.		
135.	Benue	Nelson G.O Alapa	APC	Ezekiel Adaji	PDP	Non-compliance with the Electoral Act& corrupt practices. Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Court held that the Petitioner failed to adduce any credible evidence to prove the grounds raised in his petition as required by law.		
136.	Benue	Paul Shinyo Biam	PDP	Daniel Abbagu	APC	Non-compliance with the Electoral Act& corrupt practices. Respondent not duly elected by majority of lawful votes.	Petitioner Declared Winner	The Court held that based on the pleadings, evidence led and documents admitted, the Petitioner scored the majority of lawful votes cast at the election and is entitled to be returned as the winner; Failure of the Respondent to rebut the correctness of the results contained in Form EC8A (1) in the disputed 21 polling units of Mbazun Registration Area/Ward. The cancellation of results in the said 21 polling units by INEC was unlawful and thus restored.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
137.	Benue	Robert Aondona Tyough	PDP	Benjamin I. Wayo	APC	Respondent not qualify to contest; Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (massive rigging and fraud).	Partial Cancellation	The Tribunal held that the Petitioner successfully proved the non-/holding of election in 21 polling units.	Appeal struck out	The Court held that the Notice of Appeal initiating the Appeal is incompetent, having being filed a day out of the stipulated time.
138.	Benue	Terhemen Hon	PDP	Hembe I. Herman	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (massive rigging and fraud).	Petition dismissed	The Tribunal held that the Petitioner failed to call oral evidence in support of the documents tendered and admitted and tie them to the various acts of non-compliance or alterations complained of;  It also held that the Petitioner has not proved his case as required by law.		
139.	Borno	Kudla Milinda Satumari	PDP	Jibrin Satumari	APC	Respondent was not duly elected by majority of lawful votes; Non-compliance with the provisions of the Electoral Act & corrupt practices. (Massive disenfranchisement of voters, failure of INEC to give the mandatory 14 days notice of election to the parties in respect of Askira-Uba/Hawul Federal Constituency)	Petition dismissed	The Tribunal held that it was not necessary for INEC to give statutory notice of the election by virtue of the provisions of Sections 26 and 46 of the Electoral Act; It also held that the petitioner failed to call the voters that were disenfranchised to testify and tender their voters' card and the petitioner to tender the respective voters' register to prove his allegation of disenfranchisement.	Appeal dismissed	The Court affirmed the decision of the lower Tribunal and held that the Appellant/Petitioner failed to prove his allegations including the allegation of wide spread violence during the elections through credible evidence.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
140.	Cross River	Amb. Akpana Ade Obi Odu	LP	Jarigbe Agom Jarigbe	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.	Appeal dismissed	The Court of Appeal held that the Petitioner's failure to apply for the pre-hearing within time was a fundamental error, which made his petition incompetent.
141.	Cross River	Dr. Alex Egbona	LP	Ewa Bassey Eko	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the petitioner failed to prove their allegation of non-qualification or non-compliance with the Electoral Act.		
142.	Cross River	Engr. Stanislaus Tawo Afu	LP	Agibe Christopher Ngoro	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Electoral Act.	Appeal dismissed	The Court of Appeal held that the failure of the petitioner to appeal a fundamental aspect of the Tribunal's judgment made the appeal incompetent.
143.	Cross River	Hon. Chief Dr. Godwin Amanke	LP	Hon. Barr. Lego Idagbo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	The petitioner failed to prove their allegation of non-qualification or non-compliance with the Electoral Act 6 months	Appeal dismissed	Court of Appeal affirmed the judgment of the Tribunal & held that petitioner failed to adduce credible evidence in support of his petition 2 months

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
144.	Cross River	Hon. Mkpanam Obo-Bassey Ekpo	LP	Hon. Daniel Asuquo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	That the Petitioner was unable to prove his allegations against the Respondent and that he failed to lead evidence to establish the non-compliance he complained of. 6 months		
145.	Cross River	Hon. Victor Ikpeme	APGA	Ntufam Etta Mbor	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	That the Petitioner was unable to prove his allegations of corrupt practices & the non-compliance with the Act.	Appeal dismissed	Court of Appeal held that the petitioner had failed to establish the allegations contained in his petition.
146.	Cross River	Odey Oyama	APC	Engr. Christopher Ngoro Agibe	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.	Appeal dismissed	Court of Appeal held that the Petitioner's failure to apply for the pre-hearing within time was a fundamental error, which made his petition incompetent.
147.	Cross River	Rt. Hon. Dominic Aqua Edem	LP	Essien Ekpenyong Ayi	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	The newly reconstituted Tribunal set aside its proceedings from inception and held that it has no jurisdiction to entertain the petition, having been caught up by the 180 days time limit.	Appeal dismissed	The Court held that the appeal was incompetent since the court from which it emanated had no jurisdiction to adjudicate on it since the time limit set for the trial court to hear and determine it had elapsed. On this ground, the Court also declined jurisdiction to entertain the appeal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
148.	Delta	Barr, Michael Etabunor	APC	Barr. Lovette Idisi	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	Tribunal held that the Petitioner had failed to prove the allegations of corrupt practices & the non-compliance with the Act.		
149.	Delta	Hon. Gibson Akporehe	APC	Hon. (Barr.) Evelyn Omavowan Oboro	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest; Unlawful exclusion.	Petition dismissed	The Tribunal held that the petitioner had Failed to adduce evidence to prove unlawful exclusion & non-compliance with the Electoral Act. Furthermore, the Tribunal held that the petitioner cannot complain of unlawful exclusion in a situation his party logo is included on the ballot paper.		
150.	Delta	Hon. Julius Akpovoka	LP	Hon. Solomon Awhinawhin	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	The Tribunal held that the Petitioner had failed to prove that there was substantial irregularity in the conduct of the election, which substantially affected the results. Secondly, the Tribunal held that the petition was incompetent because it was not properly signed by the petitioner or his solicitor.	Appeal dismissed	The Court held that the Appellant/Petitioner failed to lead direct evidence oral or documentary to prove his case; The Court also held that the Appellant/Petitioner failed to prove beyond reasonable doubt the allegations of crimes upon which his petition was built.
151.	Ebonyi	Chief James Aroh Nweke	LP	Hon. Linus Abba Okorie	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Petitioner failed to establish his allegations against the Respondent.	Appeal dismissed	The Court held that petitioner did not lead any cogent evidence to support his petition & thus affirmed the judgment of the Tribunal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
152.	Ebonyi	Hon. (Mrs.) Helen Nnenna Nwobasi	LP	Hon. Sylvester Ogbaga	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioners had failed to establish their case.	Appeal dismissed	The Court held that petitioner failed to adduce clear evidence to establish his case & thus affirmed the judgment of the Tribunal.
153.	Ebonyi	Hon. Tobias Chukwuemeka Okwuru	LP	Hon. Lazarus Nweru Ogbee	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner had failed to establish their case.	Appeal dismissed	The Court of Appeal held that petitioner did not lead any credible evidence to establish his case & thus affirmed the judgment of the Tribunal.
154.	Ebonyi	Uchenna Mbam Ugwu	APC	Hon. Sylvester Ogbaga	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.	Appeal dismissed	The Court of Appeal held that the petitioner filed the pre-hearing notice out of time & thus making the petition incompetent.
155.	Edo	Oladele Bankole Balogun	PDP	Peter Ohiozogh Akpatason	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal held that the Petition was incompetence due to improper presentation and signing of the petition.	Appeal dismissed	The Court of Appeal affirmed the decision of the tribunal that the petition was incompetent having not been signed by the petitioner's counsel.
156.	Enugu	Barr. Ejikeme Ugwu	APC	Princess Stella Ngwu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that failure of the petitioner to response or participate in the pre-hearing session amounted to abandoning of the petition.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
157.	Enugu	Chief Okwudili Ezeudo Itanyi	APGA	Princess Stella Ngwu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.		
158.	Enugu	Dr. Ifeanyi Asogwa	APC	Engr. Ikechukwu Ugwuegede	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner had failed to prove his allegations contained in the Petition.	Appeal dismissed	The Court of Appeal affirmed the judgment of the Tribunal & held that the particulars of the petition were vague and thus, incompetent.
159.	Enugu	Ekene Raphael Nwankwo	APC	Dennis Oguerinwa Amadi	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.	Appeal dismissed	The Court of Appeal held that the petitioner filed the pre-hearing notice out of time & thus making the petition incompetent.
160.	Enugu	Hon. Nnaji Nnolim John	PDC	Dr. Emeka Ujam	PDP	Respondent not qualified to contest. Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations of non-qualification & corrupt practices in the conduct of the election.	Appeal dismissed	The Court of Appeal held that the petitioner did not have the locus to question the primary election of the respondent & that the petition was incompetent.
161.	Enugu	Hon. Offor Chukwuegbo	APGA	Oji Chime Agu	PDP	Respondent not qualified to contest.	Petition struck out	The Tribunal upheld the objection, ruling that only aspirants within a party can question the conduct of the party's primaries and not an outsider.	Appeal dismissed	The Court of Appeal upheld the judgment of the Tribunal & held that the petitioner did not have the locus to challenge the respondent's nomination.
162.	Enugu	Ifeanyi Bartholomew Ugwoke	APC	Dennis Nnamdi Agbo	PDP	Respondent not qualified to contest, Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that the petition was improperly drafted and not in accordance with the Electoral Act.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
163.	Enugu	Prince Chukwuemeka Mamah	APGA	Dennis Nnamdi Agbo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that Petitioner had failed to prove his case of over-voting on behalf of the Respondent.	Appeal dismissed	The Court of Appeal affirmed the judgment of the Tribunal & held that petitioner failed to adduce credible evidence in support of his petition.
164.	FCT	Isah Dara Bwari	APC	Zaphaniya Jisalo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (irregularities and malpractices).	Petition dismissed	Failure of the petitioner to establish the grounds of his petition on the allegations of irregularities and malpractices.	Appeal dismissed	The Court held that the Appellant/Petitioner failed to prove the allegation of non-compliance with the provisions of the Act or that the non-compliance substantially affected the outcome of the election.
165.	Gombe	Abishai Andirya Galadima	APC	Hajiya Fatima Binta Bello	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that the petitioner's application for pre-hearing notice was premature & incompetent and thus rendering the petition a nullity.		
166.	Gombe	Alhaji Sambo Sa'ad	PDP	Hajiya Aishatu Jibir Dukku	APC	Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations against the Respondent.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
167.	Gombe	Alhaji Ya'u Hassan Marafa	PDP	Hon. Yahaya Bauchi Tongo	APC	Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the reliefs sought by the petitioner were not competent & proper with respect to the issue of non-qualification. Secondly, it held that failure of the petitioner to challenge the orders of the FCT High court over the APC primaries meant that Hon. Khamisu Ahmed Mailantarki was the true winner of the election.		
168.	Gombe	Hon. Isma'ila Mu'azu Hassan	PDP	Hon. Barambu Umaru Kawuwa	APC	Respondent not qualified to contest.	Petition dismissed	Failure of the petitioner to prove that the respondent lack requisite educational qualifications.	Appeal allowed Election of the Respondent nullified; Respondent barred from participating in the re-run election to be conducted.	The Respondent was not qualified to contest the said election.
169.	Gombe	Yila Yaro Mustapha	APC	Ali Isa Jauro	PDP	Respondent not duly elected by majority of lawful votes;	Petition struck out	Tribunal ruled that the petitioner's application for pre-hearing notice was premature & incompetent and thus rendering the petition a nullity.		
170.	Imo	Adaku Ihoma	APC	Raphael Nnanna Igbokwe	PDP	Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	Failure of the Petitioner to apply for the issuance of Pre-hearing Notice within the stipulated time.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
171.	Imo	Austin Aguguo	APGA	Dede Eke	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest.	Petition dismissed	The Tribunal held that ground one is incompetent, as it offends the provisions of Section 138 (1)(b) of the Act for combining both corrupt practices and non-compliance as one ground; Failure of the Petitioner to apply for the issuance of Pre-hearing Notice within the stipulated time.		
172.	Imo	C.C. Okolo	APC	Ernest Ezenwa Onyewuchi	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that from the totality of available evidence, comprising of oral evidence carefully considered, analyzed and evaluated, the petitioner failed to establish his case.	Appeal struck out	The Court held that the appeal was built on a petition that has not been stamped or sealed by the lawyer who signed and filed it including the application for the issuance of the Pre-hearing Notice and this renders the processes incompetent; It also held that the entire proceedings of the Tribunal built on the petition were incompetent including this appeal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
173.	Imo	Donatus Ozoemena	APC	Goodluck Opiah	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes	Petition struck out	The Tribunal held that the petition is not predicated or based upon any valid ground and requisite pleaded facts and evidence to prove them; It also held that it was unlawful for the Petitioner to have introduced new issues of facts, grounds and prayers in his reply to the Respondent's defence as it amounts to amending the contents of the petition.		
174.	Imo	Ernest I. Ibejiako	SDP	Ezenwa Onyewuchi	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes	Petition dismissed	The Tribunal held that the Petitioner failed to join as parties to the petition, persons against who allegations of crime were made, left the petition bare with nothing for the Tribunal to look into; There were no ingredients in proof of the allegations presented before the court by the petitioner going by the available evidence.	Appeal struck out	The Court held that the appeal was built on a petition that has not been stamped or sealed by the lawyer whosigned and filed it including the application for the issuance of the Pre-hearing Notice and this renders the processes incompetent; It also held that the entire proceedings of the Tribunal built on the petition are incompetent including this appeal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
175.	Imo	Gabriel Ikoku	PPA	Chude Onyereri	PDP	Non-compliance with Electoral Act and corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition struck out	The Tribunal held that the Petitioner has no locus standi to initiate the petition having failed to join in the petition, the acclaimed winner of the election who is a member of the ACCORD Party different from the Petitioner's party, the PPA; Failure to join persons against whom diverse criminal allegations have been made.		
176.	Imo	Harrison Nwadike	APC	Chude Onyereri	PDP	Non-compliance with Electoral Act and corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition struck out	The Tribunal held that the petition is deemed abandoned as the petitioner failed to apply for pre-hearing notice within stipulated time; It also held that the petitioner failed to state the scores of the candidates in the election.	Appeal dismissed	The Court held that the lower Tribunal was right in its ruling that the Petitioner/Respondent extensively specified his right as petitioner to present the election petition. Note: This Appeal was at the instance of the Respondent, Chude, who felt aggrieved by the aspect of the ruling of the Tribunal that the Petitioner did show he has the locus to present the petition as required by law.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
177.	Imo	Mathew Nwagu	APC	Dede Eke	PDP	Non-compliance with Electoral Act and corrupt practices; Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest.	Petition dismissed	The Tribunal held that ground one is incompetent, as it offends the provisions of Section 138 (1)(b) of the Act for combining both corrupt practices and non-compliance as one ground; It also held that the petition was deemed abandoned for failure of the petitioner to file pre-hearing notice within stipulated time.		
178.	Imo	Mathew Omegara	APC	Onwugbariri Obinna Kingsley		Non-compliance with Electoral Act and corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the petition was deemed abandoned for failure of the petitioner to file pre-hearing notice within stipulated time.		
179.	Imo	Michael Obinna Ikoku	Accord	Chude Onyereri	PDP	Non-compliance with Electoral Act and corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition struck out	Failure of the Petitioner to state the votes scored by him in the election violates the mandatory requirements of paragraph 4 (1) (c) of the 1st Schedule to the Electoral Act, which renders the petition incompetent and robs the Tribunal the jurisdiction to hear it on its merit.		
180.	Imo	Obinna Emuka	PPA	Bede Uchenne Eke	PDP	Non-compliance with Electoral Act and corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition struck out	The Tribunal held that the petition was deemed abandoned for failure of the petitioner to file pre-hearing notice within stipulated time.	Appeal dismissed	The Tribunal was right to have dismissed the petition which had been abandoned by the Appellant/Petitioner's failure to file Pre-Hearing Notice as required by the Electoral Act

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
181.	Imo	Ozodi Matthew Ndubueze	PPN	Chude Onyereri	PDP	Non-compliance with Electoral Act and corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition struck out	The Tribunal held that the Petitioner has no locus standi to initiate the petition having failed to join in the petition, the acclaimed winner of the election who is a member of the ACCORD Party different from the Petitioner's party, the PPA; Failure to join persons against whom diverse criminal allegations have been made; The Tribunal that it lacks the jurisdiction to hear the petition on its merit as, it confers the relief sought therein on another person, namely, Mr. Michael Obinna Ikoku, of Accord party and not to the benefit of the Petitioner.		
182.	Imo	Stan Dara	APC	Jerry Alagboso	PDP	Non-compliance with Electoral Act and corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition struck out	Failure of the Petitioner to state the scores of the candidates that contested the election. Failure of the Petitioner to apply for the Pre-hearing Notice as in Form TF008 within the time prescribed by law renders the petition incompetent.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
183.	Jigawa	Hon. Hussaini Namadi Abdulkadir	PDP	Hon. Usman Ibrahim Auyo	APC	Respondent not qualified to contest.	Petition dismissed	Tribunal held that the Petitioner had failed to prove that the certificate presented to INEC was forged or that the respondent presented a forged certificate to INEC.	Appeal dismissed	The Court of Appeal held that the petitioner failed to adduce cogent evidence to establish his case & thus affirmed the judgment of the Tribunal.
184.	Jigawa	Hon. Mustapha Khabib	PDP	Hon. Saidi Yusuf Miga	APC	Non-compliance with Electoral Act and corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	Tribunal held that the Petitioner had failed to establish their case.	Appeal dismissed	The Court held that the petitioner did not lead any credible evidence to establish his case & thus affirmed the judgment of the Tribunal.
185.	Jigawa	Muktari Ibrahim Gagarawa	PDP	Ibrahim Hussaini Kadeta	APC	Non-compliance with Electoral Act; Respondent not duly elected by majority of lawful votes.	Petition dismissed	Tribunal held that the Petitioner had failed to establish their case.		
186.	Kaduna	Akuso Yusuf Danjuma	PDP	Jagaba Adams Jagaba	APC	Non-compliance with the Electoral Act; Respondent not duly elected by majority of lawful votes. Respondent not qualified to contest.	Petition dismissed	The Tribunal ruled that the Petitioner had failed to prove that the primary election conducted by APC was in breach of or non-compliance with the provisions of Section 85(1) of the Electoral Act.		
187.	Kaduna	Chief (Hon.) Pius Bakan	APC	Hon. (Barr.) Simon Yakubu Arabo	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that Petitioner had failed to prove his case of over-voting on behalf of the Respondent.	Appeal dismissed	The Court of Appeal held that petitioner did not lead any cogent evidence to support his petition & thus affirmed the judgment of the Tribunal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
188.	Kaduna	Hon. Ibrahim Khalid Mustapha	PDP	Barr. Mohammed Musa Soba	APC	Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner had failed to prove his allegations against the Respondent.	Appeal dismissed	The Court of Appeal held that petitioner failed to adduce convincing evidence in support of their petition & thus affirmed the judgment of the Tribunal.
189.	Kano	Alh. Adamu Umaru Sanda Gano	PDP	Hon. Mustapha Bala Dawaki	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.				
190.	Kogi	Barrister Lewis Tokunbo Asubiojo	APC	Hon. Tajudeen Ayo Yusuf	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition struck out	The Tribunal held that the Petitioner was not validly nominated by his party and thus, did not have legal standing to bring the petition.		
191.	Kogi	Hon. Abdullahi Ibrahim Ali Halims	PDP	Alhaji Hassan A. Omale	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations of non-qualification & corrupt practices in the conduct of the election.		
192.	Kogi	Hon. Ismail Inah Hussain	APC	Emmanuel Makoji Egwu	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes	Petition dismissed	The Tribunal held that the Petitioner failed to prove his allegations due to his failure to adduce direct & credible evidence.	Appeal dismissed	The Court of Appeal held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the judgment of the Tribunal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
193.	Kogi	Hon. Paul Gown Haruna	PDP	Hon. Benjamin Ikani Okolo	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest	Petition dismissed	The Tribunal held that the petition was defective & incompetent because the proper reliefs were not sought for by the petitioner.		
194.	Kogi	Hon. Yusuf Ahmed Tijani Damisa	PDP	Hon. Abdullahi Bello	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations of non-qualification & corrupt practices in the conduct of the election.	Appeal allowed Respondent's election nullified.	The Court of Appeal held that the respondent's party primary election was not valid & thus the respondent was not validly nominated.
195.	Kogi	Okino Aloysius Adeiza	PDP	Lawal Muhammadu Idriisu	APC	Respondent not qualified to contest.	Petition dismissed	The Tribunal ruled that the petitioner failed to prove any of the ingredients of forgery against the respondent.	Appeal dismissed	The Court of Appeal held that petitioner did not lead any credible evidence to establish his case & thus affirmed the judgment of the Tribunal.
196.	Kogi	Salaudeen Jimoh Ganiy	Accord	Karim Sunday	PDP	Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal held that the Petitioner was not validly nominated by his party and thus, did not have legal standing to bring the petition.		
197.	Kwara	Richard Babatunde Olusola	PDP	Princess Olufunke Adedoyin	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	Tribunal held that Petitioner had failed to prove the various allegations of corrupt practices in his petition.	Appeal dismissed	The Court of Appeal held that petitioner failed to adduce convincing evidence in support of their petition & thus affirmed the judgment of the Tribunal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
198.	Kwara	Tajudeen O. Abioye	PDP	Olayonu O. Tope	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that Petitioner had failed to establish a prima facie case against the Respondent & no evidence was given to support his allegations of corrupt practices.		
199.	Lagos	Adewole Adewunmi	PDP	Ayodeji Adebayo Joseph	APC	Respondent not qualified to contest.	Petition dismissed	The Tribunal ruled that the Petitioner failed to establish their allegations of non-qualification against the Respondent.	Appeal dismissed	The Court of Appeal held that the respondent's party primary election was valid & thus the respondent was validly nominated.
200.	Lagos	Babatope Akinyele	PDP	Elijah Oluwatayo Adewale	APC	Respondent not qualified to contest.	Petition dismissed	The Tribunal ruled that the Petitioner failed to prove that at the time of the election, the respondent was not qualified to contest the election.	Appeal dismissed	The Court of Appeal held that the respondent's party primary election was valid & thus the respondent was validly nomination.
201.	Lagos	Hon. (Arc) Setonji Gbemenu Koshiedo	PDP	Hon. Joseph Hontonyon Bamgbose	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.		
202.	Lagos	Hon. Busari Ayinde	PDP	Olufemi Bandele Adebajo	APC	Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner failed to establish their allegations of non-qualification against the Respondent.	Appeal dismissed	The Court of Appeal held that the respondent's party primary election was valid & thus the respondent was validly nominated.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
203.	Lagos	Hon. Hakeem Abiodun Muniru	APC	Anthony Chinedu Nwulu-Onyeulo	PDP	Respondent not duly elected by majority of lawful votes Non-qualification; Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner failed to prove that the respondent either forged his educational certificates or gave false information in his nomination forms.	Appeal dismissed	The Court of Appeal held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the judgment of the Tribunal.
204.	Lagos	Hon. Tony Omotosho Akala-Bakare	PDP	Hon. Prince Jide Akinloye	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.	Appeal dismissed	The Court of Appeal held that petitioner failed to apply for the pre-hearing notice within the stipulated time & thus the petition would be deemed abandoned.
205.	Lagos	Kotun Lookman Oladipo	PDP	Enitan Dolapo Badru	APC	Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner failed to establish their allegations of non-qualification against the Respondent.	Appeal dismissed	The Court of Appeal held that the respondent's party primary election was valid & thus the respondent was validly nominated.
206.	Lagos	Ola Animashaun	PDP	Babajimi Adegoke Benson	APC	Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner failed to establish their allegations of non-qualification against the Respondent.	Appeal dismissed	The Court of Appeal held that the respondent's party primary election was valid & thus the respondent was validly nominated.
207.	Lagos	Olakunle Mutui Okunola	PDP	James Abiodun Faleke	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest; Respondent not duly elected by majority of lawful votes.	Petition dismissed	That the Petitioner was unable to prove his allegations of non-qualification & corrupt practices in the conduct of the election.	Appeal dismissed	The Court of Appeal held that the respondent's party primary election was valid & thus the respondent was validly nominated.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
208.	Lagos	Olumuyiwa Timothy Olabintan	APC	Hon. Shadimu Mutiu	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest; Respondent not duly elected by majority of lawful votes.	Petition struck out	Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.	Appeal dismissed	The Court held that the petitioner filed the pre-hearing notice out of time & thus making the petition incompetent.
209.	Lagos	Oyeniya Raheem	PDP	Adaranijo Taofeek Abiodun	APC	Respondent not qualified to contest	Petition dismissed	The Tribunal ruled that the Petitioner failed to prove that at the time of the election, the respondent was not qualified to contest the election.	Appeal dismissed	The Court of Appeal held that the respondent's party primary election was valid & thus the respondent was validly nominated.
210.	Lagos	Sherifat Hassan	PDP	Agunsoye Oluwarotimi Ojo	APC	Respondent not qualified to contest	Petition dismissed	The Tribunal held that the Petitioner failed to establish their allegations of non-qualification against the Respondent.	Appeal dismissed	The Court held that petitioner did not lead any credible evidence to establish his case & thus affirmed the judgment of the Tribunal.
211.	Lagos	Tayo Musari	PDP	Abdulkabir Ayeola	APC	Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.		
212.	Lagos	Tolulope Egun	PDP	Oyewole Olufemi Diya	APC	Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	Petitioner failed to establish his allegations contained in his petition.	Appeal dismissed	The Court dismissed the appeal on the grounds that the notice of appeal and record of appeal was filed out of time.
213.	Lagos	Tony Ashikodi	PDP	Olufemi Gbajabiamila	APC	Respondent not duly elected by majority of lawful votes Non-compliance with the Electoral Act.	Petition dismissed	The Tribunal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
214.	Nasarawa	Abdullahi Mohammed Hassan	APC	Gaza Jonathan Gbefwi	PDP	Respondent not duly elected by majority of lawful votes Non-compliance with the Electoral Act. & Corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner had failed to establish their allegations against the Respondents.		
215.	Nasarawa	Hon. (Dr) Joseph Haruna Kigbu	PDP	Abubakar Sarki Dahiru	APC	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with Act and corrupt practices (massive irregularities).	Petitioner Declared Winner	The petitioner proved that he scored the majority of lawful votes cast at the election.		
216.	Nasarawa	Hon. Mary Emmanuel Enwongulu	APC	Hon. Emmanuel David Ombugadu	PDP	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with Act and corrupt practices (massive irregularities).	Petition dismissed	Petitioner failed to establish his allegations against the Respondent. 4 months		
217.	Nasarawa	Yahaya Adams	APC	Mohammed Ogoshi Onawo	PDP	Respondent not duly elected by majority of lawful votes.	Petition dismissed	The petitioner failed to establish that the respondent did not score a majority of lawful votes.		
218.	Niger	Abdullahi Mohammed Ricco	PDP	Abubakar Chika Adamu	APC	Respondent not qualified to contest.	Petition dismissed	The Tribunal held that failure of the petitioner's solicitor to indicate which of the lawyers signed the petition was fatal and rendered the petition incompetent. Also, the petitioner had failed to lead evidence to prove his allegations.	Appeal dismissed	The Court of Appeal held that the petitioner's petition was incurably bad because it was not properly signed.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
219.	Niger	Hon. Muhammadu Kwakwa Darangi	PDP	Shehu Saleh	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with Act and corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Electoral Act.		
220.	Niger	Hon. Mukhtar Mohammed Ahmed	PDP	Abubakar Lado Abdullahi	APC	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with Act and corrupt practices.	Petition dismissed	The Tribunal held that Petitioners had failed to prove that the Respondent presented forged certificates or failed to meet the minimum education qualification.	Appeal dismissed	The Court held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the judgment of the Tribunal.
221.	Ogun	Ismail Biyi	APC	Adekoya Adesegun	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with Act and corrupt practices.	Partial cancellation	The Tribunal nullified the election in 222 PUs and ordered INEC to conduct fresh elections in the affected PUs.	Appeal allowed	The Court held that the evaluation of the evidence by the tribunal was perverse and that the petitioner did not adduce cogent evidence to warrant the partial cancellation of the election.
222.	Ondo	Engr. Olabamidele Olanubi	APC	Hon. Joseph Iranola Akinlaja	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with Act and corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Electoral Act.	Appeal dismissed	The Court of Appeal held that petitioner failed to adduce credible evidence in support of their petition & thus affirmed the judgment of the Tribunal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
223.	Ondo	Lucky Orimisan Ayedatiwa	APC	Akinjo Kolade Victor	PDP	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act& corrupt practices.	Full cancellation	The Tribunal held that the petitioner did not follow due process for registration as a member of PDP and thus, not a bona fide member of the PDP. As a result, the election was nullified and fresh election was ordered.	Appeal allowed	The Court of Appeal held that Tribunal was wrong in ruling that the Respondent was not a member of PDP & thus set aside its judgment.
224.	Ondo	Victor Oluwole Akinmoyero	APC	Prince Mike Omogbehin	PDP	Respondent not duly elected by majority of lawful votes Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act.	Appeal dismissed	The Court held that petitioner did not lead any credible evidence to establish his case & thus affirmed the judgment of the Tribunal.
225.	Osun	Hon. Kayode Oduoye	PDP	Hon. Yinka Ajayi	APC	Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner failed to establish his case because he failed to provide credible evidence to support his case.	Appeal dismissed	The Court held that petitioner did not lead any cogent evidence to support his petition & thus affirmed the judgment of the Tribunal.
226.	Osun	Nathaniel Agunbiade (No. 1)	APC	Busayo Oluwole Oke	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition struck out	The Tribunal held that the improper title of the election petition (i.e. "In the Presidential and Assembly Election Tribunal") was fatal & that the petition was rendered incompetent.	Appeal allowed	The Court held that the Tribunal erred in striking out the petition on the grounds of the objection by the Respondent & ordered that the petition be tried de novo by another Tribunal.
227.	Osun	Nathaniel Agunbiade (No. 2)	APC	Busayo Oluwole Oke	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices	Petition dismissed	The Tribunal held that the Petitioner failed to prove beyond reasonable doubt that the election was marred by corrupt practices.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
228.	Oyo		LP	Prince Akeem Adeyemi Adeniyi	APC	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that partaking in the NYSC is not part of the requirements for qualification to contest an election. It also held that the petitioner did not prove the allegation of corrupt practices.		
229.	Oyo	Abioye Matthew Adegboyega	APC	Odebunmi Olusegun Dokun	PDP	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest Non-compliance with the Electoral Act& corrupt practices	Petition dismissed	That the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act.	Appeal dismissed	Court of Appeal held that the compilation of the record of appeal was not in accordance with the practice directions and therefore the appeal was incompetent.
230.	Oyo	Adeyinka Adeniyi	Accord	Dada Awoleye	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act.		
231.	Oyo	Azeez Jimoh Adeniyi	Accord	Olatunbosun Nathaniel Olajide	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	That the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act.		
232.	Oyo	Chief Adegboyega Taofeek Adegoke	Accord	Hon. Saheed Akindade Fijabi	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	Tribunal held that the Petitioner had failed to establish their case 5 months		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
233.	Oyo	Hon. Mulikat Akande-Adeola	PDP	Hon. Ogunwuyi Ebenezer Segun	LP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices; Respondent not qualified to contest.	Petition struck out	Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.	Appeal dismissed	Court of Appeal affirmed the decision of the Tribunal holding that failure of the petitioner to properly compute the timelines for applying for a pre-hearing notice within the stipulated time had resulted to the petition being treated as abandoned.
234.	Oyo	Hon. Olugbenga Ayinde Adewusi	Accord	Hon. Dapo Lam Adeshina	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices;	Petition dismissed	The Tribunal that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act.	Appeal dismissed	The Court of Appeal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition & thus affirmed the judgment of the Tribunal.
235.	Oyo	Musibau Tunde Adeagbo	Accord	Olugbemi Samson Olusumbo	APC	Respondent not duly elected by majority of lawful votes Respondent not qualified to contest; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the Petitioners failed to establish their allegations of non-qualification against the Respondent.		
236.	Oyo	Ogundiran Akinwunmi Israel	LP	Odebunmi Olusegun Dokun	PDP	Respondent not elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act& corrupt practices	Petition dismissed	The Tribunal held that the Petitioners failed to establish their allegations of non-qualification against the Respondent.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
237.	Oyo	Olumuyiwa Samond Busari	Accord	Sunday Adepoju	APC	Respondent not elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner had failed to establish the allegations of corrupt practices or non-compliance.	Appeal dismissed	The Court of Appeal affirmed the judgment of the Tribunal & held that petitioner failed to adduce credible evidence in support of his petition.
238.	Plateau	Gabriel Nkup Tsenyen	APC	John Bull Tyemlong Shekarau	PDP	Respondent not elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the petitioner failed to prove the allegations of corrupt practices in the election 5 months		
239.	Plateau	Hon. Hamisu A. Mohammed	PDP	Hon. Ahmed Idris	APC	Respondent not elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner failed to prove his allegations of corrupt practices.		
240.	Plateau	Irene Din	APC	Engr. Solomon Maren	PDP	Respondent not elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the petitioner failed to tender the voters' register to prove the allegations of over-voting.		
241.	Plateau	Yakubu Shuaibu	APC	Timothy Golu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, over-voting, falsification of results, improper accreditation & rigging).	Petition dismissed	The petitioner failed to prove that the Respondent was not duly elected by majority of lawful votes cast and to establish the allegations of crime.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
242.	Rivers	Anthony C. Okocha	APC	Kingsley Chinda	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, thuggery, ballot box snatching, falsification of results, improper accreditation, rigging etc).	Petition dismissed	The Tribunal held that the petition was incompetent as the Petitioner lack the locus to initiate it on the ground that he was not validly nominated by his party t It also held that the petitioner failed to rebut through credible evidence the presumption of regularity and correctness in favour of the election result announced by INEC.	Appeal allowed Election of the Respondent nullified	The Court held that the election was not conducted in substantial compliance with the Electoral Act.
243.	Rivers	Aye Atamah Pepple	APC	Randolph Oruene Brown	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregular result sheets, disenfranchisement of voters, falsification of results, improper accreditation, non-collation of results, rigging etc).	Full cancellation	The Tribunal held that the Petitioner proved that the election was marred by irregularities and infractions which substantially affected the outcome of the election; It also held that the Respondent was not duly elected by the majority of lawful votes cast at the election.	Appeal dismissed Decision of the Tribunal affirmed	The Court held that the election was not conducted in substantial compliance with the Electoral Act.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
244.	Rivers	Collins A.N Owhondah & Anor	APC	Blessing Nsiegbé & 3 Ors	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregular result sheets, disenfranchisement of voters, falsification of results, improper accreditation, non-collation of results, rigging etc).	Petition dismissed	Failure of the Petitioner to lead credible evidence to refute the rebuttable presumption of regularity and correctness in favour of the result of the election and to establish beyond reasonable doubt the allegation of corrupt practices.	Appeal allowed Election of the Respondent nullified.	The Court held that it was the Respondents who have substantially asserted the affirmative that the election was duly held in respect of Port Harcourt II Constituency, that have the burden to prove the assertion and not the Appellant/ Petitioner who asserted that such election was not held; It held also that the Tribunal failed to properly direct its mind that the party to discharge the onus to prove that election was held is the Respondents has occasioned a serious miscarriage of justice.
245.	Rivers	Dawari I. George	APC	Boma Goodhead	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disruption of election, intimidation of voters, disenfranchisement of voters, improper accreditation, non-collation of results, rigging etc).	Full Cancellation	The Petitioner successfully proved beyond reasonable doubt the allegations of crime contained in the petition; The election was not conducted in substantial compliance with the Electoral Act. 6 Months	Appeal dismissed	The Court held that the election was marred by violence and not conducted in substantial compliance with the Electoral Act.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
246.	Rivers	Igochukwu N. Aguma	APC	Ken Chikere	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disruption of election, intimidation of voters, disenfranchisement of voters, improper accreditation, non-collation of results, rigging etc).	Petition dismissed	The Tribunal held that the Petitioner lack the locus standi to present the petition on the ground that he was not validly nominated by his party to contest the election; It also held that the Petitioner failed to prove the allegation of over-voting and to call at least a registered voter from each of the polling units in each of the wards in respect of the election to show that election did not hold.	Appeal allowed Election of the Respondent nullified	The Court held that the election was not conducted in substantial compliance with the Electoral Act.
247.	Rivers	Maureen Tamuno	APC	Gogo Bright Tamuno	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disruption of election, intimidation of voters, disenfranchisement of voters, improper accreditation, fraud & rigging).	Petition dismissed	The Tribunal held that the Petitioner lacks the locus standi to present the petition having not been validly nominated by his party; It also held that the Petitioner failed to prove the allegations of crime and non-compliance with the Electoral Act.	Appeal allowed Election of the Respondent nullified.	The Court held that the election was marred by irregularities having not been conducted in substantial compliance with the Electoral Act.
248.	Rivers	Maurice Pronen	APC	Dumnamene Deekor	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disruption of election, intimidation of voters, disenfranchisement of voters, improper accreditation, fraud & rigging).	Petition dismissed	The Tribunal held that the petitioner failed to establish his grounds of petition through positive evidence.	Appeal allowed Election of the Respondent nullified	The Court held that the election was marred by irregularities having not been conducted in substantial compliance with the Electoral Act.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
249.	Rivers	Mpigi Barinada	APC	Jacobson B. Nbina	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disruption of election, intimidation of voters, disenfranchisement of voters, improper accreditation & rigging).	Petition dismissed	Failure of the Petitioner to rebut the correctness or genuineness of the result announced by INEC by producing another result to challenge the one declared by INEC; Failure of the Petitioner to adduce credible and cogent evidence to prove his grounds of petition.	Appeal allowed Election of the Respondent nullified	The Court held that the election was marred by irregularities having not been conducted in substantial compliance with the Electoral Act.
250.	Rivers	Nname Robinson Ewor	APC	Betty Apiaf	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disruption of election, intimidation of voters, improper accreditation rigging etc).	Petition dismissed	Failure of the Petitioner to prove that the Respondent was not duly elected by majority of lawful votes cast at the election.	Appeal allowed Election of the Respondent nullified	The Court held that the election was marred by irregularities having not been conducted in substantial compliance with the Electoral Act
251.	Rivers	Ogbonna Nwuke	APC	Jerome Amadi Eke	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disruption of election, intimidation of voters, irregularities and malpractices).	Petition dismissed	Failure of the Petitioner to prove beyond reasonable doubt the allegations of corrupt practices; The Petitioner lacks the locus standi to present the petition as, the requisite notice for his party primary, which nominated him to contest the election fell short of the required 21 days enjoined by section 85(1) of the Electoral Act.	Appeal allowed Election of the Respondent nullified	The Appellant/Petitioner proved that the election was not conducted in substantial compliance with the Electoral Act.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
252.	Rivers	Samson Gilbert Egop	APC	Awaji-Inombek Abiante	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disruption of election, intimidation of voters, irregularities and malpractices)	Petition dismissed	Failure of the Petitioner to join as parties to the petition, persons against whom allegations of criminal offences were made and to prove the allegations of the crime.	Appeal allowed Election of the Respondent nullified	The Court held that the Appellant/Petitioner established successfully that the election was marred by irregularities and not conducted in substantial compliance with the Electoral Act.
253.	Rivers	Wihioka Chidi Frank	APC	Boniface Sunday Emerengwa	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disruption of election, intimidation of voters, irregularities and malpractices)	Petition dismissed	The Tribunal held that the Petitioner failed to prove beyond reasonable doubt the allegation of crime; It also held that the Petitioner lacks the locus standi to present the petition having not been validly nominated by his party.	Appeal allowed Election of the Respondent nullified	The Court held that the Appellant/Petitioner established successfully that the election was marred by irregularities and not conducted in substantial compliance with the Electoral Act.
254.	Rivers	Wobo Brave Anebom	APGA	Ken Chikere	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disruption of election, intimidation of voters, irregularities and malpractices)	Petition dismissed	The Tribunal held that the Petitioner lacks the locus standi to present the petition having not been validly nominated by his party It also held that the Petitioner failed to prove the allegation of over-voting having not tendered the voters' register as required by law.	Appeal allowed Election of the Respondent nullified	The Court held that the Appellant/Petitioner established successfully that the election was marred by irregularities and not conducted in substantial compliance with the Electoral Act.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
255.	Sokoto	Aminu Abubakar	PDP	Abdussamad Dasuki	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (irregularities and malpractices)	Petition dismissed	The Tribunal held that the Petitioner failed to prove his case with cogent evidence. It also held that the Respondent scored the majority of valid votes cast at the election and was duly returned as the winner of the election.	Appeal dismissed	The Court held that the Appellant/Respondent failed to prove his allegation of non-compliance with the Electoral Act.
256.	Sokoto	Umar Mohammed Bature	PDP	Hassan Bala Abubakar III	APC	Non-compliance with the Electoral Act and corrupt practices (irregularities and malpractices)	Petition dismissed	The Tribunal held that the Petitioner failed to prove any of the allegations contained in the grounds of his petition.	Appeal dismissed	The Court held that the Appellant/Petitioner failed to prove the non-compliance alleged based on what happened at each polling unit or that the non-compliance substantially affected the result of the election. It also held that the Appellant dumped his documents on the Tribunal without connecting them to his evidence.
257.	Taraba	Adamu Danbako Ibrahim	PDP	Alhaji Garba Garba Chede	APC	Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner failed to establish that the certificate presented by the Respondent were fake.		
258.	Taraba	Adi-Byewi Salihu	APC	Shiddi Usman Danjuma	APGA	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (irregularities and malpractices)	Petition struck out	The Tribunal held that the petition was incompetent on the grounds that the petitioner's solicitor failed sign on it as required by law.	Appeal dismissed	The Court held that the petitioner or his solicitor did not properly sign the petition.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
259.	Taraba	Ibrahim T. El-Sudi	APC	Danasabe C. Hosea	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (irregularities and malpractices)	Partial cancellation	Tribunal cancelled elections of 19 Polling Units in Kurmi & Sarduna LGAs for non-compliance with the Electoral Act & ordered INEC to conduct fresh elections in the affected Polling units.	Appeal dismissed	The Court held that the petitioner adduced cogent evidence to prove non-compliance in the affected Polling units.
260.	Taraba	Nuggamiya Shimbura Donga	SDP	Rima Shawulu Nkwewum	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (irregularities and malpractices).	Petition dismissed	The Tribunal held that the petition was deemed abandoned for failure of the petitioner to file fresh amended copy of the petition as ordered by the Tribunal.		
261.	Yobe	Hon. Ali Yakubu	APC	Sabo Garba	PDP	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act and corrupt practices (irregularities and malpractices).	Petitioner Declared Winner	The Court held that Respondent was not qualified to contest the election. The Petitioner who scored next highest vote is returned as winner of the election.		

## C. STATE HOUSES OF ASSEMBLY

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
262.	Abia	Chidozie George	APGA	Solomon Akpulonu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (rigging, disruption of election, intimidation of voters & over-voting).	Petition dismissed	Failure of the Petitioner to tender any documentary evidence to support his case or call witnesses with direct evidence to prove his allegations.		
263.	Abia	Chineye Ike	APGA	Darlington Nwokocho	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices	Petition dismissed	Failure to adduce evidence in proof of substantial non-compliance with the Electoral Act; Failure to establish that the Respondent and or his agents committed the alleged criminal acts during the election.		
264.	Abia	Ezechimerem Martient Ihuoma	APGA	Martins O. Azubiike	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices	Petition dismissed	Failure of the Petitioner to prove substantial non-compliance with the Electoral Act.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
265.	Abia	Karibe P. Ojigwe	APGA	Cosmas N. Chukwudi	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices	Petition dismissed	The Tribunal held that the Petitioner failed to positively rebut the presumption of regularity and correctness of the result in favour of the return of the Respondent; The Tribunal also held that the Petitioner failed to call at least one disenfranchised voter from each of the disputed polling units as witnesses in support of his allegation of on-voting or misconduct or non-conduct of an election; It further held that the Petitioner failed to adduce evidence that directly linked the Respondent to the alleged acts of irregularities or that it was done with his approval.		
266.	Abia	Kelechi Anthony Apugo	APGA	Chukwudi Apugo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices	Petition dismissed	The Tribunal held that the Petitioner failed to discharge the onus of proving the allegations of substantial non-compliance with the provisions of the Electoral Act including the various allegations of criminal acts against the Respondent; The Respondent won the disputed election by a wide margin of lawful and valid votes cast at the election.	Appeal dismissed	The Court held that the Appellant/ Petitioner was unable to prove his allegations as required by law for the lower Tribunal to grant his reliefs; The judgment of the lower Tribunal that the disputed election was held in substantial compliance with the provisions of the Electoral Act was unassailable having being arrived at with due evaluation of the evidence proffered before it.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
267.	Abia	Kingsley Chijioke Nwaobilor	APGA	Munachim Alozie	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner failed to prove the grounds of the petition; It also held that the election was conducted in substantial compliance with the Electoral Act.	Appeal dismissed	Failure of the Appellant to prove alleged particulars of corrupt practices and non-compliance with the Electoral Act, polling unit by polling unit and ward by ward; Failure of the Appellant to call oral evidence to show how each document tendered in court support or proves his allegations in respect of each polling unit.
268.	Abia	Levi Atulaegwu	APGA	Chikwendu Kalu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices.	Petition dismissed	Failure of the Petitioner to file his final Written Address within the prescribed time; Failure of the Petitioner to lead evidence in proof of the ground that the Respondent did not score the majority of lawful votes cast in the election; The Petitioner's agents signed the result sheets of the election from their respective polling units, an indication that his party accepted the validity of the results complained about in this petition.	Appeal allowed Election of the Respondent nullified.	The Court held that the Tribunal failed to properly evaluate the whole evidence adduced by the Appellant in proof of his case; The election was characterized by violence and malpractices, which affected the result of 38 polling units with a voting strength of 21,733 voters; The number of registered voters disenfranchised is such that could have swayed the outcome of the election one-way or the other. Appeal upheld;

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
269.	Abia	Mejuru Godwin	APGA	Taribo Paul	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices.	Petition dismissed	The Tribunal held that it was misconceived for the Petitioner to rely on facts of non-usage of Card Readers during accreditation and its resultant effects as proof of non-compliance, since S.138 (1) (b) of the Electoral Act only allows acts of non-compliance with the provisions of the Electoral Act and no other legislation or regulations as grounds for challenging an election; It also held that the Petitioner failed to proffer cogent evidence in proof of the time of the making of the few mutilations and alterations on the results sheets tendered as exhibits to show that the mutilations and alterations were made to falsify results of the election.	Appeal dismissed	The Court of Appeal held that the Tribunal assessed and evaluated in great details all the evidence adduced before it. There is no need for this Court to interfere with the evaluation already done by the Tribunal.
270.	Abia	Patrick Ikechi Anya	APGA	Egworonu O. Egworonu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices.	Petition dismissed	Failure of the Petitioner to prove with credible evidence that no election took place in the disputed Ndi Elu and Agbo Nkporo Wards and therefore, failed to rebut the presumption of regularity in favour of the results.	Appeal dismissed	The Court held that the findings of the lower Tribunal are quite apt and this court has no reason to upturn these findings.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
271.	Abia	Prince Enyinna Ubani	APGA	Emeka Alozie	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices.	Petition dismissed	Failure of the Petitioner to establish with cogent evidence that the non-holding of election in Amasator Ward 3 and the cancelled results for 3 units in wards 7 and 8 substantially affected the outcome of the declared result to warrant a nullification of the entire election; Failure of the Petitioner to prove that there was no election in the remaining 4 wards and that the results tendered for those wards were fraudulently generated by INEC to favour the Respondent.	Appeal allowed Election of the Respondent nullified	The margin of disenfranchised registered voters in 5 wards where election did not hold exceeds the margin of win; Failure of the Respondent who positively asserted the due conduct of elections to plead the essential activities that define an election such as, accreditation, the evidence of votes cast in the election and that result sheets were distributed before the results were recorded. Election partially nullified.
272.	Abia	Rev. Ugwu-Niger Martins	APGA	Kennedy Njoku	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices.	Petition dismissed	The Tribunal held that some paragraphs and sub-paragraphs of the petition are unnumbered, vague, imprecise, generic and lacking in specifics with respect to the allegations contained therein; It also held that it was unlawful for the Petitioner to have raised fresh facts and issues in his reply to the Respondent including fresh list of documents hitherto not listed; It also held that the petitioner failed to join as parties to the petition, persons alleged to have committed electoral and criminal offences.	Appeal dismissed	The court held that the Tribunal made findings on material facts, which are judicious, and upon which the Court of Appeal cannot interfere, as there are no compelling reasons to do so.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
273.	Abia	Sidney Onyemere	APGA	Chinedu Orji	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices. Respondent not qualified to contest;	Petition struck out	The Tribunal held that the Petitioner lack the locus standi to initiate the petition since he did not participate in the election he has challenged; The Tribunal found that the return of the Respondent was in respect of Umuahia Central State Constituency of Abia State and not Umuahia Urban State Constituency/Umuahia Urban Constituency as pleaded by the Petitioner; The Tribunal also held that the election complained about by the Petitioner do not refer to an election conducted in respect of a constituency known to the Electoral Act and the 1999 Constitution. 5 Months	Appeal dismissed	The Court held that the petition as constituted is without any prayer or relief to activate the jurisdiction of the lower Tribunal; It also held that the lower Tribunal was right in striking out the petition for being incompetent.
274.	Abia	Chijioko Okoro	PDP	Luke Onyeani Ukara	APGA	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices	Partial Cancellation	The Petitioner established that election was not held in 25 polling units; The margin of win between the Petitioner and Respondent is less than the total number of disenfranchised registered voters in the disputed 25 polling units. Election partially nullified; Re-run to be held in the 25 affected polling units within 90 days. 6 months	Appeal dismissed	The Court held that the petitioner/ appellant succeeded in proving his case to be entitled to the reliefs sought in his petition.
275.	Abia	Chimaobi Grant Mgbekwe	PDP	Ikedi Ezekwesiri	APGA	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices	Partial Cancellation	The margin of votes between the Petitioner and the Respondent is far less than the total number of disenfranchised registered voters in the 2 wards of the Constituency; Failure of INEC to collate results of the election. Election partially nullified.	Appeal dismissed	The Court held that INEC was wrong to have declared the Appellant/Respondent the winner of the election, as the number of disenfranchised voters glaringly outnumbered the difference between both candidates in the election.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
276.	Abia	Chukwudi Kennedy John	PDP	Uloma Onuoha	APGA	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices	Petition dismissed	Failure of the Petitioner to prove that there was substantial non-compliance with the provisions of the Electoral Act and that it substantially affected the result of the election and to prove the allegations of crime beyond reasonable doubt.	Appellant/ Petitioner declared returned winner	Failure of the trial Tribunal to properly evaluate the evidence of the parties before it in arriving at its decision; The Appellant/Petitioner scored the highest number of lawful votes cast at the election.
277.	Abia	Dame Blessing Nwagba	PDP	Emeka Sunny Nnamani	APGA	Respondent not qualified to contest; Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices	Partial Cancellation	The Tribunal held that the Respondent was not qualified to contest the election having being found to have presented a forged Certificate of graduation from the University of Port Harcourt to INEC; It also held that that the margin of votes between the Petitioner and the Respondent is less than the number of disenfranchised voters whose votes could have swayed the outcome of the election; Respondent disqualified from participating in the fresh election	Appeal dismissed	The Court held that the Appellant was not qualified to contest the election for presenting a forged certificate to INEC in breach of S.107 (1) of the 1999 Constitution (as amended)
278.	Abia	Dame Ijeoma Maduako	PDP	Abraham Ukefi Oba Osogbo	APGA	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	Failure of the Petitioner to prove beyond reasonable doubt that the Educational Certificates (Senior School Certificate & First School Leaving Certificate) the Respondent submitted to INEC were falsified and forged.	Appeal dismissed	The Court held that the Appellant failed to establish his case before the Tribunal, and the trial Tribunal properly considered and evaluated the evidence before it in coming to its finding and conclusion.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
280.	Abia	Ekeleme Chima Ikeje	PDP	Ugboala Theophilus O.	APGA	Non-compliance with the Electoral Act and corrupt practices	Petition dismissed	Failure of the Petitioner to particularly discredit the election result as declared by INEC with cogent and credible evidence; Failure of the Petitioner to prove beyond reasonable doubt, the allegations of crime bordering on violence and disenfranchisement of voters.	Appeal allowed	The Court held that the Appellant/ Petitioner successfully rebutted the genuineness and correctness of the certified copies of the results from 35 polling units with credible evidence; The Court found that the margin of victory between the two leading candidates is clearly lesser than the total number of registered voters in the 35 disputed polling units; It also held that INEC officials acted in aberration of its Manual for Election Officials, 2015 by failing to declare the election inconclusive given the margin of votes between the leading candidates; It further held that it was wrong for INEC to have adopted the story of the Respondent as its own reply and explanation of its role in the election, as it simply confirms the Appellant's allegation of their partisanship and lack of neutrality and independence in the conduct of the election.
281.	Abia	Jeremiah Uzosikeo O.A	PDP	Nwachukwu Chijioke E.	APGA	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Partial Cancellation	The Tribunal held that the Petitioner successfully proved that election did not hold in 43 polling units of 8 wards in the Constituency and that it substantially affected the result of the election; The margin of votes between the Petitioner and the Respondent is less than the number of disenfranchised registered voters in the disputed 43 polling units was election was not held. Election partially nullified;.	Appeal dismissed	The Court held that the Tribunal was right to have relied on the unchallenged evidence of the Respondent/Petitioner on the number of disenfranchised voters in making its finding, without need for voters' register.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
282.	Abia	Luke Onyea Niukara	PDP	Chijioke Okoro	APGA	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Partial Cancellation	The Tribunal held that the Petitioner established that the total number of disenfranchised registered voters in the disputed 25 polling units was higher than the margin of win between the Petitioner and the Respondent; It also held that the non-compliance and irregularities substantially affected the result of the election, as the total number of disenfranchised voters was substantial.	Appeal dismissed	The Court held that the lower Tribunal was right in acting with the evidence of the Respondent / Petitioner in cancelling the election in 25 polling units of Arochukuwu State Constituency due to irregularities
283.	Abia	Chukwu Chijioke	PPA	Cosmas Ndukwe	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest.	Partial Cancellation	The Tribunal held that the Petitioner proved non-accreditation in 10 polling units in 3 wards of the Constituency; the implication being that there was no election; It also held that the votes returned without accreditation in the affected units are invalid having not been obtained through the due process of election. Election partially nullified	Appeal dismissed	The Court held that the Tribunal acted in excess of jurisdiction to have granted a prayer (rerun election upon cancellation) which the Appellant/Petitioner did not ask for in the main reliefs claimed in his petition; It also held that the Appellant/ Petitioner failed to prove on any ground that the Respondent was not qualified to contest the disputed election. Decision of the Tribunal set aside.
284.	Adamawa	Hon. Aloysius A. Babadoke	PDM	Saleh D. Thompson	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the Petitioners failed to establish their allegations against the Respondent.		
285.	Adamawa	Mustapha Maigari Bello	PDM	Mohammed Atiku Hayatu	APC	Respondent not qualified to contest.	Petition dismissed	Tribunal did not rule on the allegations of forgery but dismissed the case on the ground that the petitioner failed to seek a proper relief and thus, rendering the petition "a mere academic exercise."		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
286.	Adamawa	Aminu Iya Abbas	PDP	Mohammed Atiku Hayatu	APC	Respondent not qualified to contest.	Petition dismissed	Tribunal did not rule on the allegations of forged but dismissed the case on the ground that the petitioner failed to seek a proper relief and thus, rendering the petition "a mere academic exercise."		
287.	Adamawa	Michael Alias Shehu	PDP	Joseph Ayuba Kwada	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the Petitioners failed to establish their allegations against the Respondent.		
288.	Adamawa	Dr. Raymond Dauda Chidama	SDP	Mohammed Atiku Hayatu	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	Petitioners failed to establish their allegations against the Respondent.		
289.	Akwa Ibom	Amb. Past. Ubong George Ikpe	APC	Otobong Ndem	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition struck out	Tribunal upheld the objection and held that the petition was filed out of time and therefore incompetent.		
290.	Akwa Ibom	Barr. Augustine Udo Mbeh	APC	Hon. Idongesit Ntekperere	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition struck out	Tribunal upheld the objection and held that the petition was filed out of time and therefore incompetent.		
291.	Akwa Ibom	Barr. Ndem	APC	Emmanuel B. Ekpenyong	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	Tribunal upheld the objection and held that the petition was filed out of time and therefore incompetent.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
292.	Akwa Ibom	Chief Effiong Etim Johnson	APC	Hon. Samuel Ufuio	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations of corrupt practices & the non-compliance with the Act.		
293.	Akwa Ibom	Comrade Ini Essang	APC	Hon. Felicia Bassey	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal upheld the objection and held that the petition was filed out of time and therefore incompetent.		
294.	Akwa Ibom	Engr. Obot Essien Uko	APC	Hon. Uduak Alphonsus Odudoh	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal upheld the objection and held that the petition was filed out of time and therefore incompetent.		
295.	Akwa Ibom	Gabriel David Obot	APC	Hon. Victor C. Udofia	PDP	Non-compliance with the Electoral Act & corrupt practices	Petition struck out	The Tribunal upheld the objection and held that the petition was filed out of time and therefore incompetent.		
296.	Akwa Ibom	Hon. Gabriel Okon Akpan	APC	Hon. Aniekan Uko	PDP	Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal upheld the objection and held that the petition was filed out of time and therefore incompetent.		
297.	Akwa Ibom	Hon. John Akpan Harry	APC	Hon. Mark Udo Esset	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal upheld the objection and held that the petition was filed out of time and therefore incompetent.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
298.	Akwa Ibom	Hon. Mfon Ekerette	APC	Hon. Ime Bassey Okon	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Full cancellation	The Tribunal held that the election was marred by irregularities of over-voting.		
299.	Akwa Ibom	Hon. Ubong Ime Uduokpong	APC	Hon. Monday Eyo Okon	PDP	Non-compliance with the Electoral Act & corrupt practices.	Partial cancellation	The Tribunal held that the petitioner had proved non-compliance in 5 Wards of the Constituency as well as 5 PUs in Ward 2 and thus ordered fresh elections in the affected areas.		
300.	Akwa Ibom	Idongesit Ekpanya	APC	Idongesit Ukoltuen	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Partial cancellation	The Tribunal ruled that there were discrepancies in the results in 27 PUs out of 92 PUs and thus order for fresh elections in the affected PUs		
301.	Akwa Ibom	Ime Asuquo Inyang	APC	Hon. Mfon Etim Ekong	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that the grounds of the petition were not provided under the Electoral Act and therefore the Petition was incompetent		
302.	Akwa Ibom	Imo Tom Udi	APC	Usoro Samuel Akpanusoh	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal upheld the objection and held that the petition was filed out of time and therefore incompetent.		
303.	Akwa Ibom	Kokoette Effiong Abia	APC	Hon. Friday Etim Iwok	PDP	Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal upheld the objection and held that the petition was not properly couched and therefore incompetent.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
304.	Akwa Ibom	Mrs. Alice Monday Thompson	APC	Nse Effiong Ntuen	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time		
305.	Akwa Ibom	Ntiedo George Udoetuk	APC	Hon. Gabriel Toby Udoh	PDP	Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations of corrupt practices & the non-compliance with the Act.		
306.	Akwa Ibom	Obong (Barr.) Victor Akpan	APC	Hon. (Barr.) Onofiok Akpan Luke	PDP	Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal upheld the objection and held that the petition was filed out of time and therefore incompetent.		
307.	Akwa Ibom	Pastor Bob David Ekarika	APC	Hon. Udo Kieran Akpan	PDP	Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner failed to prove any of his allegations of corrupt practices or non-compliance with the Electoral Act that was substantial.		
308.	Akwa Ibom	Usoro Benjamin M.	APC	NSe Udofot Essien	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition struck out	The Tribunal upheld the objection and held that the petition was filed out of time and therefore incompetent.		
309.	Akwa Ibom	Uyime Eyo Ekwere	APC	Aniefiok Dennis Akpan	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent was not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the Petitioner failed to prove any of his allegations contained in his petition	Appeal allowed Election of the Respondent nullified	The Court set aside the decision of the lower Tribunal and held that the Respondent was not validly elected and return as the winner of the election; It also held that the election was not conducted in substantial compliance with the Electoral Act.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
310.	Akwa Ibom	Victor Ini Okon	APC	Hon. Effiong Okon Bassey	PDP	Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act		
311.	Akwa Ibom	Rt. Hon. Okon Tom Osung	PDP	Asuquo Edet Archibong	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the Petitioner failed to prove his allegations due to his failure to adduce direct & credible evidence		
312.	Anambra	Nnamdi Chukwudebelu	APC	Lawrence Ezeudu	APGA	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition struck out	Failure of the 1st Petitioner (APC) to sign the petition offends paragraph 4(3)(b) of the 1st Schedule to the Electoral Act 2010 and this has rendered the petition fundamentally defective and unacceptable.		
313.	Anambra	Chinweuba B. Bolonwu	APGA	Ibuzo Edward Obi	PDP	Respondent not duly elected by majority of lawful votes.	Petition withdrawn	Petition withdrawn at the instance of the Petitioner		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
314.	Anambra	Okechukwu E. Aloy	APGA	Charles C. Ezeani	PDP	Respondent not qualified to contest the election; Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that Exhibits tendered by the Petitioner in respect of the disputed polling units without calling the polling agents who were privy to the making of the entries in those documents amount to documentary hearsay which the Tribunal cannot rely on; It also held that the Petitioner failed to establish the substantiality of the non-compliance or that the non-compliance affected the results of the election in those polling units complained of; The Petitioner has no locus standi to challenge the nomination of the Respondent being a pre-election matter.		
315.	Anambra	Okoye A. Charles	APGA	Francis Okoye	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petitioner Declared Winner	The Tribunal held that the Petitioner established that the results in the nine (9) disputed polling units were unlawfully altered and falsified in favour of the Respondent.	Appeal dismissed	The Court held that the Tribunal was right in upturning the election of the Appellant on grounds of unlawful falsification and alteration of results to his favour.
316.	Anambra	Onyeka Ifechukwu	APGA	Onyebuchi Offor	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner failed to prove beyond reasonable doubt his claim that wrong or falsified figures were used to declare the election of the Respondent	Appeal dismissed	The Court held that the Appellant/ Petitioner failed to discharge the burden on him to prove the falsification of result or manipulation of figures, there was nothing in respect of which the Respondent could lead evidence in rebuttal

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
317.	Anambra	Ekweoba S. Nwawue	PDP	Vivian A. Okadigbo	APGA	Respondent not duly elected by majority of lawful votes.	Petition struck out	Failure of the Petitioner to state clearly, the scores of all the candidates that participated in the election as declared by INEC in compliance with the mandatory provision of paragraph 4 (1) (c) of the First Schedule to the Electoral Act renders the petition defective and incompetent	Appeal dismissed	The Court held that the Appellant/ Petitioner was legally obliged to state or plead in his petition, the votes and scores of all the candidates who participated along with him in the election but, he failed to do so; The Tribunal acted within the law in striking out the Appellant's petition at the pre-hearing session based on the Respondent's motion on notice, which challenged the competence of the petition.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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318.	Anambra	Igwilo P. Nwankwo	PDP	Benson Nwawulu	APGA	Respondent not duly elected by majority of lawful votes.	Petition struck out	The Tribunal held that the entire petition is incurably defective having failed to comply with the mandatory requirements of Paragraph 4 (3)(b) of the 1st Schedule to the Electoral Act relating to the signature of petitioners or their lawyers; It also held that the Petitioner's lawyer failed to sign the petition as required by law, which thereby renders the petition incompetent.	Appeal allowed	The Court held that where more than one Petitioner present a joint petition as in this case, the signature of one is adequate for the validation and authentication of the petition; Striking out a petition signed by one of the Petitioners violates the principle of substantial justice, as the one who signed the petition would be denied the right to be heard; Note: Even though the Appeal was allowed the Court stated that the reliefs could no longer be granted as they are caught by effusion of time, as the Tribunal no longer has the jurisdiction to hear the petition outside the 180 days allowed by the Constitution. Appeal allowed.
319.	Anambra	John Olibie	PDP	Lawrence Ezeudu	APGA	Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that there is no concrete evidence before the court to show that the return of the Respondent on 11/4/2015 when collation was yet to be completed on 12/4/2015, was fraudulently made or announced; It also held that whatever error in the date of declaration if any, was a human error that has not affected the result of the election.	Appeal dismissed	Failure of the Appellant/Petitioner to relate each of the documents tendered in evidence to specific aspect of his case in respect of which the documents were tendered. To that effect, there are mere documentary hearsay; Failure of the Appellant to lead evidence to controvert or rebut the presumption of correctness of the result declared by INEC
320.	Anambra	Kenneth Nwakaeze	PDP	Godwin N. Okafor	APGA	Respondent not duly elected by majority of lawful votes; Non-compliance with the Act & corrupt practices.	Petition struck out	The Tribunal held that the Petitioner was not a candidate at the election and cannot therefore, be allowed to challenge the election.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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321.	Anambra	ThankGod A. Chubuiké	PDP	Boniface Okonkwo	APGA	Respondent not duly elected by majority of lawful votes; Non-compliance with the Act & corrupt practices	Petition dismissed	The testimonies of all the Petitioner's witnesses are hearsay which the court cannot rely upon or attach any probative value; Failure of the Petitioner to prove that Card Readers were not used in line with the directive of INEC. However, even if it were proved, it would not have served any useful purpose since S.138 (2) of the Electoral Act makes non-compliance with a directive or instruction of INEC, which is not contrary to the Electoral Act of no consequence.	Appeal dismissed	The Court held that the Appellant/ Petitioner failed to prove that the use or non-use of the Card Readers led to the non-accreditation of voters, and that votes were unlawfully allocated to the candidates in the election; The decision of the Tribunal that the Appellant/Petitioner failed to prove the allegations of corrupt practices and non-compliance with the Electoral Act and also that the Respondent was not duly elected by majority of lawful votes cast at the election, was well anchored and unimpeachable
322.	Anambra	Unachukwu S. Chuka	PDP	Ume Ikechukwu	APGA	Respondent not duly elected by majority of lawful votes; Non-compliance with the Act & corrupt practices	Petition dismissed	The Tribunal found that the Petitioner tendered duplicate copies of the disputed result sheet Forms through persons who were not their makers or who signed them; The Tribunal held that the Petitioner failed to demonstrate or prove through the Voters' Register tendered that accreditation and voting took place as shown in the registers;		
323.	Bauchi	Ibrahim Abdullahi	PDP	Baba Madugu	APC	Non-compliance with the Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petitioner Declared Winner	Tribunal held that Petitioner had proved his case of over-voting. It also held that the collation officer was wrong to have cancelled the election in 2 wards.	Appeal dismissed	The Court of Appeal affirmed the decision of the Tribunal in holding that the collation officer acted wrongly in cancelling the results of the disputed wards

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324.	Bayelsa	Ogbara G. Michael	ADC	Naomi Benjamin Ogoli	PDP	Non-compliance with the Act & corrupt practices	Partial cancellation	The Tribunal found that there were discrepancies in the result sheets.	Appeal dismissed	The Court held that there were sufficient proof of the irregularities and incidents of non-compliance in respect of the election in the disputed polling units;
325.	Bayelsa	Abi A. Morris	APC	Naomi Benjamin Ogoli	PDP	Non-compliance with the Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	Failure of the Petitioner to state the scores of all the candidates in the election renders the petition incompetent; Failure of the Petitioner to prove non-compliance and corrupt practices by cogent and credible evidence	Appeal dismissed	
326.	Bayelsa	Ebifaghe P. Orunimighe	APC	Benson K. Friday	PDP	Non-compliance with the Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the Petitioner failed to establish his case of non-voting by calling voters, tendering Permanent Voters Card and producing voters registration; It also held that the Petitioner failed to establish that the Respondent personally committed the alleged criminal acts; The petitioner failed to call the makers of the documents tendered in evidence,	Appeal allowed in part; Election of the Respondent nullified	The Court held that the Appellant/ Petitioner successfully established the allegation of non-voting; The Court found that there was electoral malpractice, as the number of votes cast is in excess of the total number of voters accredited to vote in the disputed wards.
327.	Bayelsa	Marlin Daniel & Anor	APC	Obiene Iniyobiyo & 2 Ors	PDP	Non-compliance with the Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	Failure of the Petitioner to prove his grounds of petition		

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328.	Bayelsa	Victor Enierenimi	APC	Bernard S. Kenebai	PDP	Non-compliance with the Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the Petitioner failed to prove the allegations of corrupt practices and non-compliance or that the Respondent was not duly elected by majority of lawful votes.	Appeal dismissed	The Court held that the Tribunal was right in holding that the Appellant/ Petitioner owed and had the burden to prove the positive assertion that election did not take place in the Constituency in question; The Tribunal properly evaluated all the material evidence placed before it by the parties to the petition before coming to the conclusion that the Appellant/Petitioner failed to prove the petition.
329.	Bayelsa	Victor Onye Samuel & 2 Ors	APGA	Naomi Benjamin Ogoli	PDP	Non-compliance with the Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	Failure of the Petitioner to prove his case	Appeal struck out	Failure of the Appellant/Petitioner's lawyer who signed the Notice of Appeal to affix stamp and seal of the Nigeria Bar Association as required under Rule 10 of the Rules of Professional Conduct for Legal Professionals, 2007, renders the Appeal incompetent and so deprives the court the jurisdiction to adjudicate over the appeal.
330.	Bayelsa	Kemeopawei Ambrose Dumbo	CPP	Ball Oyarede	PDP	Non-compliance with the Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition struck out	The Tribunal lacks the jurisdiction to hear the petition because it is statute barred, having been filed out of time stipulated by section 285(5) of the 1999 Constitution (as amended)	Appeal dismissed	The Tribunal was right in striking out the petition because it was statute barred

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331.	Bayelsa	Gibson Edwin Munalayefa	LP	Anapurere M. Awoli	PDP	Non-compliance with the Act & corrupt practices; Respondent not duly elected by majority of lawful votes	Petitioner Declared Winner	The Tribunal held that INEC failed to use the card reader to conduct proper accreditation in some polling units thereby rendering the votes void; It was unlawful for the Returning Officer for Ogbia Constituency 2 to cancel the election results for all the units in ward 2 and 4 after the conduct of the election and results declared in the units by the Presiding Officers.	Appeal dismissed	The findings of fact by the Tribunal are backed up by credible evidence because no lawful election can take place without strict compliance with the accreditation requirement
332.	Bayelsa	Joshua E. Ongore	PDP	Ebiye Tarabina	APGA	Respondent not qualified to contest; Non-compliance with the Act & corrupt practices; Respondent not duly elected by majority of lawful votes	Petition dismissed	Failure of the Petitioner to prove the unlawfulness of votes cast in ward 7 and units 5-14 of ward 8 in Kolokuma/Opokuma Constituency as alleged; Failure to prove that the Respondent did not resign his appointment or prove that he presented a forged certificate to INEC.	Appeal dismissed	The Court held that the Respondent properly resigned his appointment with Bayelsa State Government before contesting the election.
333.	Bayelsa	Nyananyo Tubo	PDP	Watson A. Belemote	APGA	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner failed to tender the voters' register and other relevant documents showing accreditation; Failure of the Petitioner to tender in evidence all the forms used in the election and to call witnesses to testify as to misapplication of the votes scored.	Appeal dismissed	The Court held that the Appellant/ Petitioner failed to prove his case.

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334.	Bayelsa	Victor Prezi	PPA	Ogbere P. Michael	PDP	Respondent not qualified to contest Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Full cancellation	The Tribunal held that the Respondent failed to tender units results to prove that there was manual accreditation of voters in units where card readers failed; The results of the election are not lawful, as there was no proper accreditation; The Petitioner successfully proved substantial non-compliance with the Act, which affected the results of the election.	Appeal dismissed	The Court held that the joinder or non-joinder of a political party in a petition does not vitiate the petition; The Court also held that the fact of over-voting among others as established by the Respondent/ Petitioner, is a clear evidence of substantial non-compliance with the Act. It further held that the Tribunal upon proper evaluation of evidence came to the right conclusion that the election was a sham and the results therefrom a mere phantom
335.	Bayelsa	Rumson Victor Baribote	SDP	Ebi Ben Ololo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The election was conducted in substantial compliance with the Electoral Act	Appeal dismissed	The Court held that the trial Tribunal was right to hold that the Appellant/Petitioner failed to prove his allegation that the election was not conducted in substantial compliance with the Act.
336.	Benue	Alechenu O. Musa	APC	Chris Adaji	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the petitioner cannot project the non-presence or improper use of Card Reader as a ground for questioning an election, as it does not qualify as one; It also held that the Petitioner failed to adduce evidence polling unit by polling unit in proof of his claim of non-compliance with the Act; It further held that the indirect evidence of most of the Petitioner's witnesses are tainted with discrepancies and cannot be believed.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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337.	Benue	Alphonsus Avine Agbom	APC	Martins Aza	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Partial Cancellation	The Tribunal held that INEC was wrong to have allowed voters who failed accreditation by the card reader to vote; The Petitioner proved by graphic evidence, the existence of irregularities and substantial non-compliance with the Act polling unit by polling to warrant the nullification of the elections.		
338.	Benue	Aluheen S. Mfatyoga	APC	Tor J. Aye	LP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the use or improper use of Smart Card Reader for accreditation is not known to the Electoral Act, and cannot be equated to non-compliance contemplated in the Act; It also held that the Petitioner failed to join as parties to the petition, persons who were alleged to have committed criminal acts.		
339.	Benue	APC	APC	Sule Audu Dickson	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices;	Petition dismissed	The Tribunal held that the Petitioner to plead and lead credible evidence to prove beyond reasonable doubt; It also held that the use or improper use of Smart Card Reader for accreditation is not known to the Electoral Act, and cannot be equated to non-compliance contemplated in the Act.		

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340.	Benue	Inyampe D. Douglas	APC	Joseph Ojobo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the Petitioner failed to show how the none or partial use of the card reader machines adversely affected the result of the elections; It held that the Petitioner failed to prove that the alleged malpractices and non-compliance complained of, was substantial enough to affect the overall result of the election.		
341.	Benue	Johnson Baba Odeh	APC	Egli Johnson Ahubi	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Unlawful exclusion.	Petition dismissed	The Tribunal held that the Petitioner failed to call witnesses to testify that they could not vote in the disputed polling units, and tendering their voters card in order to establish his allegation of non-voting and disenfranchisement; It also held that the Petitioner failed to call oral evidence to explain the contents of the documents tendered before the court.		
342.	Benue	Michael T. Utsaha	APC	Terseer Adzuu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner failed to prove any of the grounds of the petition to be entitled to any of the reliefs sought; The petitioner failed to join as necessary parties, persons against whom several criminal allegations were made; The petitioner failed to call witnesses in 36 out of the 42 polling units in the 5 disputed council wards to prove the allegation of non-holding of election;		

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343.	Benue	Sunday O. Adagba	APC	Joseph Adoga Onah & 3 Ors	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The petition was incompetent having not being signed by all the Petitioners and or solicitors.	Appeal allowed Appellant's petition restored, and to be heard and determined on its merit by a reconstituted tribunal.	The Court held that the decision of the tribunal in striking out the Appellant's petition without allowing him to adduce evidence to substantiate the petition was a nullity; It also held that the tribunal denied the Appellant/Petitioner fair hearing when it struck out his petition without hearing it on merit.
344.	Benue	Sunday O. Adagba	APC	Joseph Adoga Onah	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Court held that the petitioner did not establish sufficient evidence to prove his petition.		
345.	Benue	Victor T. Kpandeh	APC	Kester Terna Kyenge	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The presumption of regularity that elections were conducted in Logo State Constituency is sustained, the Petitioner having failed to prove otherwise.		
346.	Benue	Oche Emmanuel	LP	Anthony Odeh Ogbu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices Unlawful exclusion;	Petition dismissed	The Tribunal held that the Petitioner failed to provide a graphic detail analysis of the alleged non-compliance polling unit by polling unit, the scores of the parties, the voters' register and the number of over-voting; The Petitioner participated actively in the election and cannot be heard to complain of unlawful exclusion.		

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347.	Benue	Elizabeth-Mary N. Shuluwa	PDP	Tor J. Aye	LP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner failed to prove that the election was not conducted in substantial compliance with the Electoral Act.	Appeal dismissed	The Court held that the Appellant/ Petitioner failed to prove the grounds of petition.
348.	Benue	Iyo Aondover Kenneth	PDP	Cheme T. Damian	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner lacks the locus standi to question the nomination of the Respondent not being an aspirant that participated in the primary election that produced the Respondent; It also held that the Petitioner failed woefully to prove the grounds of the petition.	Appeal allowed Ground one of the petition earlier struck out is restored and to be tried along with the other grounds by the trial Tribunal.	The Court held that the Tribunal defiled the law when it struck out ground one of the Appellant/ Petitioner's petition for being incompetent, having challenged the nomination of the Respondent without a valid primary election; The Court also held that ground one of the petition qualifies as a valid ground for querying the qualification of the Respondent to contest the election and the Respondent has the locus standi to challenge it.
349.	Benue	Joshua Ogbole	PDP	John Adam Okloho & 2 Ors	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner failed to adduce fundamental oral evidence to connect the documents tendered to any of the specie of the non-compliance alleged for the Tribunal to accord any probative value.		
350.	Benue	Sughnen Adrian Idyo	PDP	Benjamin B. Nungwa & 2 Ors	APC	Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner to prove his case against the Respondent		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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351.	Cross River	Achadu Ogiji Martins	APC	Lukpata Ogana Nicholas	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Electoral Act.	Appeal dismissed	The Court affirmed the judgment of the Tribunal & held that the petitioner failed to adduce credible evidence in support of his petition
352.	Cross River	Comrade Okon Ekpo Etim	APC	Hon. Dr. Ekpo Ekpo Bassey	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act.		
353.	Cross River	Ernest Osang Eki	APC	Dr. (Mrs.) Virginia Itam Abang	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	That the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Electoral Act		
354.	Cross River	Hon. (Pastor) Sunday Eteng	APC	Hon. Nelson Offem	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Electoral Act	Appeal dismissed	The Court affirmed the judgment of the Tribunal & held that petitioner failed to adduce credible evidence in support of his petition
355.	Cross River	Hon. Chief Alexander Sunday Irek	APC	Friday Gabriel Okpechi	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time	Appeal dismissed	Court of Appeal held that the Petitioner's failure to apply for the pre-hearing within time was a fundamental error which made his petition incompetent
356.	Cross River	Hon. Pastor Sunday Etang	APC	Hon. Nelson Ofem	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	That the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act		

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357.	Cross River	Thomas Busa Odu Bisong	APC	Hon. Hillary Ekpang Bisong	PDP	Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act.		
358.	Cross River	Capt. Eno Utum Inah (rtd)	LP	Eteng Jonah Williams	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act.	Appeal allowed Election of the Respondent nullified	The Court held that there was substantial irregularity in the collation of results & issuance of a certificate of return.
359.	Cross River	John Ogon Egbeji	LP	Peter Agbe Odey	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time	Appeal dismissed	The Court held that the appeal was incompetent due to the failure of the petitioner to compile transmit the record of Appeal in accordance with the Practice Directions
360.	Cross River	Mark Idom Atabi	LP	Peter Agbe Odey	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations against the Respondent	Appeal dismissed	The Court of Appeal affirmed the judgment of the Tribunal & held that petitioner did not adduce any evidence in support of his petition
361.	Delta		Accord	Hon. Ossai Ossai	PDP	Non-compliance with the Electoral Act & corrupt practices	Petition struck out	Respondent brought an objection stating that the petition was filed out of time. Tribunal upheld the objection and held that the petition was filed out of time and therefore incompetent.		

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362.	Delta	Barr. Robinson	APC	Godwin Abigor	SDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act	Appeal dismissed	The Court of Appeal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition & thus affirmed the judgment of the Tribunal.
363.	Delta	Chief Vincent Jackson Okudolor	APC	Hon. Dennis Omovie	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the petitioner did not establish the allegations of corrupt practices. It also held that the non-holding of elections in some Polling Units did not substantially affect the result of the election.	Appeal struck out	The Court held that the Appeal is incompetent, the Notice of Appeal having been filed out of time.
364.	Delta	Ferguson Onwo	APC	Hon. Johnson Obokparoro Erijo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act	Appeal dismissed	The Court of Appeal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition & thus affirmed the judgment of the Tribunal
365.	Delta	Hon. (Chief) Felix Anirah	APC	Hon. (Chief) Monday Igbuya	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	Petitioner failed to prove any of his allegations of corrupt practices or non-compliance with the Electoral Act that was substantial.		
366.	Delta	Hon. Benjamin Okiemute Essien	APC	Mrs. Orezi Esievo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner had failed to prove that there was substantial irregularity in the conduct of the election which substantially affected the results		

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367.	Delta	Chief Anthony Uche Azuya	APGA	Hon. (Barr.) Evang. Princess Pat Ajudua	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	Petitioner failed to prove any of his allegations of corrupt practices or non-compliance with the Electoral Act that was substantial		
368.	Delta	Hon. Jenkins Dovie Giane Gwede	DPP	Prince Eric Oharisi	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the Petitioner had failed to prove that there was substantial irregularity in the conduct of the election, which substantially affected the results. Secondly, the Tribunal held that the petition was also incompetent because it was not properly signed by the petitioner or his solicitor	Appeal dismissed	The Court of Appeal affirmed the judgment of the Tribunal that the Petitioner did not lead any cogent evidence to support the allegations contained in his petition & the petition was also incompetent for improper signing.
369.	Delta	Barr. Joseph Ogbogba Agbamu	LP	Hon. Efe Godfrey Ofobruku	SDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that petitioner did not lead any credible evidence to establish his case. Secondly, it held that the petitioner's petition failed to disclose any cause of action since the petitioner failed to plead relevant facts relating to his sole ground of the petition.		
370.	Delta	Chief Abel Oharume	LP	Prince Eric Orienogheneburu Oharisi	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the Petitioner had failed to prove the allegations of corrupt practices & the non-compliance with the Act		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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371.	Delta	Hon. Newman M. Akpore	LP	Hon. Samuel O. Mariere	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that petitioner did not lead any credible evidence to establish his case. Secondly, it held that the petitioner's petition failed to disclose any cause of action since the petitioner failed to plead relevant facts relating to his sole ground of the petition.		
372.	Delta	Omwirhiren Onoyiwotu Hero	LP	Oborewori Sheriff	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the Petitioner had failed to prove that there was substantial irregularity in the conduct of the election which substantially affected the results		
373.	Delta	Hon. (Mrs.) Omawumi Beatrice Udoh	PDP	Mr. Godwin Abigor	SDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest.	Petition dismissed	The petitioner failed to proved her allegation of non-qualification or non-compliance with the Electoral Act		
374.	Delta	Hon. Ulebor Isaac	PDP	Mr. Okoh Chukwunyem Festus	Acoord	Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	The Tribunal upheld the objection and held that the petition was not properly couched and therefore incompetent. It also held that the Petitioner was unable to prove his allegations of non-qualification & corrupt practices in the conduct of the election		
375.	Delta	Matthew Tsekiri	PDP	Hon. Efe Ofobruku	SDP	Respondent not qualified to contest; Non-compliance with the Electoral Act & corrupt practices;	Petition dismissed	The Tribunal held that the petitioner failed to proved their allegation of non-qualification or non-compliance with the Electoral Act 6 months		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
376.	Delta	Moses Okeighene Odibo	PDP	Chief Peter Okaibare Uviejitobor	LP	Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	The Tribunal held that the Petitioner failed to establish their allegations of non-qualification against the Respondent. Also, It held that the petitioner did not prove his allegations of unlawful cancellation of the results.		
377.	Delta	Olorogun Akpowowo	PDP	Evance Ochuko Iwwurie	LP	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	The Tribunal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition.	Appeal dismissed	The Court held that petitioner did not lead any credible evidence to establish his case & thus affirmed the judgment of the Tribunal
378.	Delta	Nwaobi Emeka Emmanuel	PDP	Okocha Samuel Osi	Accord	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	The petitioner failed to proved their allegation of non-qualification or non-compliance with the Electoral Act	Appeal allowed	The Court of held that the Respondent was not qualified to contest the election because his party had failed to hold a proper primary election. It thus set aside the judgment of the Tribunal and ordered that the petitioner was the true winner of the election
379.	Ebonyi	Hon. Godwin Nwankpuma	LP	Hon. Ogbonna Francis Nwifuru	PDP	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices;	Petition dismissed	Tribunal held that the Petitioner had failed to establish their case	Appeal dismissed	The Court held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the judgment of the Tribunal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
380.	Edo	Henry Osobase Okpamen	APC	Igbas Ezehi	PDP	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal upheld the objection since the petitioner brought no evidence to counter the depositions of the respondent and it thereafter struck out the Petition as being incompetent stating that the petitioners were not valid participants in the election		
381.	Edo	Pastor Sam Ebhodaghe Odigie	APC	Monday Ehigialua	PDP	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices	Petition struck out	The Tribunal upheld the objection since the petitioner brought no evidence to counter the depositions of the respondent and it thereafter struck out the Petition as being incompetent stating that the petitioners were not valid participants in the election.		
382.	Edo	Gallant Commander Sylvanus Peters	PDP	Dr. Gowon Yakubu Marughu	APC	Respondent not qualified to contest; Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices	Full cancellation	The Tribunal held that the Respondent was not qualified to contest due to his party violation of Section 85 of the Electoral Act and therefore APC did not have a valid candidate for the contest.	Appeal dismissed	The Court of held that the Respondent was not qualified to contest the election because his party had failed to hold a proper primary election. It thus set aside the judgment of the Tribunal and ordered that the petitioner was the true winner of the election
383.	Edo	Hon. Friday Ogierhiakhi	PDP	Asoro Osadeabmwun Roland	APC	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal ruled that the Petitioners cannot complain about an election that they did not take part in.	Appeal dismissed	The Court of Appeal affirmed the judgment of the Tribunal that the Petitioner could not complain about an election they failed to participate in.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
384.	Edo	Lawrence Osabuohien Ogieva	PDP	Aisowieren Patrick	APC	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices	Petition struck out	Petition struck out for incompetence due to improper presentation and signing of the petition.		
385.	Edo	Martin Obiogba lyare Erhabor	PDP	Nosayaba Okunbor	APC	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that ground one of the petition is rendered incompetent for lumping both non-compliance and corrupt practices as a single ground. The Tribunal also held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act.	Appeal dismissed	The Court affirmed the decision of the Tribunal and held that the lower Tribunal clearly and justifiably evaluated all the evidence placed before it before arriving at its decision.
386.	Edo	Monday O. Okoro	PDP	Osaigbovo lyoha	APC	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	Petition struck out for incompetence due to improper presentation and signing of the petition.		
387.	Ekiti	Adeyeye Mobolaji Johnson	APC	Samuel Omotosho	PDP	Respondent not duly elected by majority of lawful votes cast; Unlawful Exclusion;	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of falsification of results by the Respondents & the non-compliance with the Act.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
388.	Ekiti	Sola Olofin	APC	Arogundade Musa	PDP	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the petitioner was unable to adduce cogent & rational reasons to justify grounds of his petition and that the FHC had affirmed the respondent as the true nominee of the PDP.		
389.	Enugu	Aja Celestine Udeh	PDC	Nelson Uduji	PDP	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time.	Appeal dismissed	The Court of held that the petitioner filed the pre-hearing notice out of time & thus making the petition incompetent
390.	Enugu	James Nnamdi Chukwudi	PDC	Sunday Kelly Enemchukwu Ude-Okoye	PDP	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time		
391.	Enugu	Offor Nnaji Offor	PDC	Aniagu Ilobuachi	PDP	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	Petitioner failed to establish their allegations against the Respondents		
392.	Enugu	Barr. Celestine Stephen Onachukwu Chika	PDP	Ume Ikechukwu	APGA	Respondent not duly elected by majority of lawful votes cast.	Petition dismissed	The Tribunal held that the petitioner did not prove his case.	Appeal dismissed	The Court of Appeal held that petitioner failed to adduce clear evidence to establish his case & thus affirmed the judgment of the Tribunal

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
393.	Gombe	Mohammed Saidu	APC	Nasiru Abubakar Nono	PDP	Respondent not duly elected by majority of lawful votes cast; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner had failed to establish their case.	Appeal dismissed	The Court of Appeal held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the Tribunal's judgment.
394.	Gombe	Shu'aibu Adamu Haruna	APC	Ahmed Abubakar	PDP	Respondent not duly elected by majority of lawful votes cast.	Petition dismissed	The Tribunal held that the Petitioner had failed to establish their case	Appeal dismissed	The Court of Appeal held that the petitioner had failed to establish the allegations of corrupt practices & thus affirmed the judgment of the Tribunal.
395.	Gombe	Yohanna Nahari	APC	Buba Yakubu	PDP	Non-compliance with Act Electoral Act.	Petition dismissed	The Tribunal held that the Petitioner had failed to establish their case		
396.	Gombe	Alhaji Gidado	PDP	Musa A. Mohammed	APC	Respondent not qualified to contest. Non-compliance with the Electoral Act.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations against the Respondent.	Appeal allowed	The Court held that the respondent was not qualified to contest the said election, having not resigned his position as PA to the Governor within the time stipulated by law. It therefore nullified the election and judgment of the Tribunal and ordered INEC to conduct fresh election
397.	Gombe	Mohammed Dan'azumi Adamu	PDP	Abdullahi Abubakar	APC	Respondent not qualified to contest.	Petition dismissed	Petitioner was unable to prove the allegations against the Respondent	Appeal dismissed	The Court of Appeal affirmed the judgment of the Tribunal & held that petitioner failed to prove the allegations of Non-qualification;

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
398.	Imo	Collins Chiji	APC	Lady Joy Mbawuike	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not elected by majority of lawful of votes.	Full cancellation	The Tribunal held that the evidence adduced by the Petitioner from the card reader device clearly established a case of over-voting; The incident Forms allegedly used by INEC in cases where the card reader device failed was not tendered before the court. Entire election nullified; Fresh election to be held within 90 days	Appeal dismissed	The findings of the Tribunal were proper and the Court of Appeal has no reason to interfere
399.	Imo	Joseph Chukwuma Ikunna	APC	Donatus Onuigwe	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not elected by majority of lawful of votes	Petition struck out	The Tribunal held that the Petition was incompetent on the grounds that the pre-hearing notice was filed out of time.		
400.	Imo	Luke O. Chukwu	APC	Emmanuel C. Orié	PDP	Respondent not qualified to contest; Respondent not elected by majority of lawful of votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the witness and exhibits tendered were not able to prove beyond reasonable doubt the allegations of crime; It also held that the petitioner failed to tender the voters register and to call at least a registered voter from each of the disputed polling units to prove the claim of non-voting.	Appeal struck out	The Court held that the appeal was built on a petition that has not been stamped or sealed by the lawyer who signed and filed it including the application for the issuance of the Pre-hearing Notice and this renders the processes incompetent; It also held that the entire proceedings of the Tribunal built on it is incompetent including this appeal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
401.	Imo	Nwanchukwu I. Magnus	APC	Ukoha Bruno Osinachi & Ors	PDP	Respondent not elected by majority of lawful of votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	Failure of the Petitioner to show specific areas of non-compliance with the Electoral Act and how the non-compliance has affected the outcome of the election		
402.	Imo	Nwogu Paschal	APC	Mike Iheanetu	PDP	Respondent not elected by majority of lawful of votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	Failure of the Petitioner to join as necessary parties, persons against whom criminal allegations were made or report such allegations to the police is fatal to his case; Failure of the petitioner to prove beyond reasonable doubt the allegations of crime or to establish other grounds of the petition as required by law.	Appeal dismissed	The Appellant/Petitioner failed to attribute the alleged irregularities and corrupt practices at the election to the Respondent and to prove that the alleged non-compliance substantially affected the result of the election.
403.	Imo	Nwogu Paschal	APC	Mike Iheanetu	PDP	Respondent not elected by majority of lawful of votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	Failure of the Petitioner to join as necessary parties, persons against whom criminal allegations were made or report such allegations to the police is fatal to his case; Failure to prove the allegations of crime beyond reasonable doubt and to establish other grounds of the petition as required by law	Appeal dismissed	The Court held that the Appellant's failure to apply for pre-hearing notice rendered the petition abandoned.
404.	Imo	Millicent C. Duru	LP	Nnenna John Nzeruo	APC	Respondent not elected by majority of lawful of votes; Non-compliance with the Electoral Act & corrupt practices.	Full cancellation	The Tribunal found that there was no collation properly called in the entire 10 wards of the constituency; It also held that the election was marred by corrupt practices, irregularities and non-compliance with the principles of the Electoral Act, INEC Manual and Guidelines and the 1999 Constitution.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
405.	Imo	Chidi Joseph Ihemedu	PDP	Victor I. Onyewuchi	APC	Respondent not elected by majority of lawful of votes; Non-compliance with the Electoral Act & corrupt practices	Partial Cancellation	The Tribunal held that the election was void given that the margin of victory between the two leading candidates was less than the number of disenfranchised registered voters.	Appeal dismissed	The Court held that the Tribunal rightly evaluated the evidence before arriving at its decision.
406.	Imo	Dympna Mbiamnozie	PDP	Nkenna John Nzeruo	APC	Respondent not elected by majority of lawful of votes; Non-compliance with the Electoral Act & corrupt practices	Petition struck out	The Tribunal held that the Petition is incompetent having been filed out of the stipulated time		
407.	Imo	Nkechinyere Ugwu	PDP	Ikechukwu Amuka	APC	Respondent not qualified to contest. Non-compliance with the Electoral Act & corrupt practices Respondent not duly elected by majority of lawful votes.	Petitioner declared winner	The Tribunal held that the Respondent did not possess the requisite educational qualification to contest the election.	Appeal dismissed	The Court held that It is difficult to imagine how deferring the taking of a motion challenging the competence of a suit, to another date, or to be taken when the substantive matter is heard without consulting the parties, amounts to denial of the right to fair hearing of a party.
408.	Imo	Okey Uduh	PDP	Acho Ihim	APC	Non-compliance with the Electoral Act & corrupt practices Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the Petitioner failed to state in his pleadings, specific polling units where the alleged acts of malpractices, irregularities and non-compliance complained about occurred; Failure of the Petitioner to plead or list the Letters appointing all his witnesses as polling unit agents; The Petitioner's pleading is invalid.	Appeal dismissed	The Court held that the Appellant failed to prove the grounds of the petition.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
409.	Imo	Robertson Ekwebelem	PDP	Chinedu Ofor	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	Failure of the Respondent to join as necessary parties to the petition, persons against whom serious criminal allegations were made; The petitioner failed to tender the result he is challenging and the voters' register, ballot boxes and ballot papers to establish the allegation of over-voting.		
410.	Imo	William E. Ejiakor	PDP	Henry Uzoma Ezeidiaro	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	Petitioner failed to led credible and cogent evidence in prove of his petition	Appeal dismissed	The Court held that the findings of the Tribunal were properly evaluated and are backed by credible evidence and the Court has no reason to disturb it
411.	Jigawa	Abulmalik Shehu	APC	Sha'aibu Inuwa	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the Petitioner had failed to establish their case	Appeal dismissed	The Court of Appeal held that petitioner did not lead any credible evidence to establish his case & thus affirmed the judgment of the Tribunal.
412.	Jigawa	Muhammad Agufa Abubakar	APC	Yusuf Umar Tsakuwawa	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the Petitioner failed to establish his case.		
413.	Jigawa	Yahaya Mohammed Usman	APC	Ibrahim Suleiman Gwiwa	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the Petitioner failed to establish his case.	Appeal dismissed	The Court of Appeal held that the non-compliance established by the petitioner was not substantial & thus affirmed the judgment of the Tribunal
414.	Jigawa	Yasa'a Wada Abubakar	APC	Ado Idris Andaza	PDP	Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner failed to establish his case.	Appeal dismissed	The Court of Appeal held that petitioner did not lead any cogent evidence to support his petition & thus affirmed the judgment of the Tribunal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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415.	Jigawa	Murtala Muhammed Abubakar	PDP	Aminu Sule Sankara	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	Tribunal held that the Petitioner failed to establish his case	Appeal dismissed	The Court of Appeal struck out the appeal for want of diligent prosecution as a result of appellant failing to file his brief of argument timorously.
416.	Kaduna	Engr, Seth Habila Bakut	APC	Hon. Kantiok Irimiya Ishaku	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest.	Petition dismissed	The Tribunal held that the Petitioner failed to establish their allegations against the Respondents		
417.	Kaduna	Haliru Gambo Dangana	APC	Mrs. Comfort Amwe	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest	Petitioner Declared Winner	The Tribunal ruled that the Respondent was not a lawful candidate sponsored by her party for the election & therefore cannot participate in the said election	Appeal dismissed	The Court of Appeal held that respondent was not validly nominated & votes given to her was illegal & unlawful. Thus it affirmed the judgment of the Tribunal
418.	Kaduna	Hon. Haruna Garba Kyos	PDP	Hon. John Audu Kwaturu	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest	Petition dismissed	The Tribunal held that the Petitioner failed to establish his allegations against the Respondents	Appeal dismissed	The Court of Appeal held that petitioner did not lead any cogent evidence to support his petition & thus affirmed the judgment of the Tribunal
419.	Kaduna	Hon. Matoh Dary Dogara	PDP	Mohammed Kabir Ibrahim	APC	Respondent not qualified to contest	Full cancellation	The Tribunal found that the Respondent had presented a forged certificate to INEC and therefore was disqualified from contesting the election	Appeal dismissed	The Court of Appeal held that the tribunal was right in holding that the respondent had presented a forged certificate.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
420.	Kano	Abdullahi Mohammed	PDP	Hayatu Musa Dorawar Sallau	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest	Petition dismissed	The Tribunal held that its jurisdiction had not been properly invoked by the petitioners due to a pending appeal before the Court of Appeal on the nomination of the Respondent	Appeal allowed	The Court of Appeal dismissed the main ground of appeal but gave an order cancelling the election on the ground that an earlier Court of Appeal had nullified the nomination of the respondent. Fresh election was ordered.
421.	Katsina	Habibu Suleiman	PDP	Abubakar Mohammed	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations against the Respondent	Appeal dismissed	Court of Appeal held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the judgment of the Tribunal
422.	Katsina	Lawal Isiyaku	PDP	Haruna Goma	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	The Petitioner did not lead credible evidence to prove his case. Also, the issue of false qualifications is treated as allegation of crime and the burden of proof is beyond reasonable doubt	Appeal dismissed	The Court of Appeal held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the judgment of the Tribunal
423.	Katsina	Nazif Bello Yusuf	PDP	Sallisu Haruna Mashi	APC	Respondent not duly elected by majority of lawful votes.	Petition dismissed	The petitioner failed to prove that the election in the cancelled ward was free and fair, and that there was no over-voting.	Appeal dismissed	Court of Appeal held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the judgment of the Tribunal
424.	Kebbi	Abubakar Ahmad Lolo	APC	Muhammad Abubakar Lolo	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest	Petition dismissed	Tribunal held that petitioner failed to establish that election was invalid by reason of corrupt practice of substantial non-compliance with the Act		
425.	Kebbi	Babangida Ibrahim	APC	Muhammad Tukur	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	Tribunal held that petitioner failed to establish that election was invalid by reason of corrupt practice of substantial non-compliance with the Act	Appeal dismissed	The Court held that the Petitioner/ Appellant failed to rebut the presumption of regularity or correctness of the results of the election or show the impact of any irregularity in the election on the results.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
426.	Kebbi	Muhammad Aliyu D/Gari	APC	Hon. Anaruwa Garba Suru	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the petitioner did not establish the allegations of corrupt practices. It also held that the non-holding of elections in PUs in Zakuwa Asibiti & Bayan Dutsi did not substantially affect the result of the election		
427.	Kebbi	Bello Abdullahi Mungadi	PDP	Abdulwasiu Yunus Andarai	APC	Respondent not qualified to contest	Petition dismissed	The Tribunal ruled that the Petitioner was unable to prove his allegation of Non-qualification;		
428.	Kogi	Barr. Atabor Ilemona Henry Cosmas	APC	Hon. Sani Friday	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition struck out	The Tribunal held that the Petitioner was not validly nominated by his party and thus, did not have legal standing to bring the petition.		
429.	Kogi	Barr. Migbole Jimoh Samuel	APC	Idris Ndakwo	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the petition was defective & incompetent because the proper reliefs were not sought for by the petitioner		
430.	Kogi	Hon. Haruna Idoko Musa	APC	Mr. Ukubie Ochijenu-Acharu	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes	Petition dismissed	The Tribunal held that the election was conducted substantially in accordance with the Electoral Act .		
431.	Kogi	Hon. Umar Kareem	APC	Rt. Hon. Jimoh Lawal	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes	Petition dismissed	Tribunal held there was no credible evidence adduced to prove the allegations contained in the petition.	Appeal dismissed	Court of Appeal held that petitioner failed to adduce clear evidence to establish his case & thus affirmed the judgment of the Tribunal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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432.	Kogi	Idris Shaib	APC	Kekere Sanni Abdulkareem	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes	Petition dismissed	That the Petitioner was unable to prove his allegations of corrupt practices & the non-compliance with the Act	Appeal dismissed	Court of Appeal held that petitioner did not lead any credible evidence to establish his case & thus affirmed the judgment of the Tribunal
433.	Kogi	Olamife Adedoyin	APC	Kolawole O. Mathew	PDP	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes	Petition struck out	Tribunal held that the Petitioner was not validly nominated by his party and thus, did not have legal standing to bring the petition.		
434.	Kogi	Abdul Ogwu Al-Hassan	PDP	Hassan Abdullahi	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes	Full cancellation	Tribunal held that the Respondent was not qualified to contest due to his party violation of Section 85 of the Electoral Act and therefore APC did not have a valid candidate for the contest	Appeal dismissed	Court of Appeal affirmed the decision of the Tribunal that the Respondent was not qualified to contest due to his party violation of Section 85 of the Electoral Act.
435.	Kogi	Ahmed Mohammed	PDP	Ibrahim Abdulmumini Alhaji	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes Respondent not qualified to contest.	Petitioner Declared Winner	Tribunal held that APC did not validly nominate the Respondent & that it also did not conduct a primary election as recognized by the Electoral Act.	Appeal allowed in part Fresh election ordered to be conducted by INEC.	The Court of Appeal affirmed the decision of the Tribunal that the Respondent was not validly nominated through a legal primary election. However, it reverse the decision to declare the petitioner the winner but ordered that INEC conduct fresh election
436.	Kogi	Dr. Ali Friday Adoyi	PDP	Comrade Salifu Isah Idachaba	APC	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the petition was defective & incompetent because the proper reliefs were not sought for by the petitioner	Appeal allowed Election of the Respondent nullified	The Court of Appeal held that it was wrong for the Tribunal to dismiss the petition because the petitioner failed to seek for the relief of fresh election. It also held that the petitioner had established that the respondent was not validly nominated.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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437.	Kogi	Hon. Fiki Eric Olorunjuwon	PDP	Hon. Obaro Abayomi Sunday Pedro	APC	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegations of non-qualification & corrupt practices in the conduct of the election		
438.	Kogi	Hon. Gabriel Y. Olofu	PDP	Linus Ojichenemi Enenche	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition struck out	The Tribunal ruled that the petition was deemed abandoned after Petitioner failed to apply for pre-hearing notice within stipulated time		
439.	Kogi	Hon. Michael Folusho Daniel	PDP	Obaru Abayomi Pedro	APC	Respondent not qualified to contest	Petition struck out	The Tribunal ruled that the grounds of the petition were not provided under the Electoral Act and therefore the Petition was incompetent. It also held that the Petitioner failed to establish their allegations of non-qualification against the Respondent	Appeal dismissed	The Court of Appeal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition & thus affirmed the judgment of the Tribunal
440.	Kogi	Mohammed Haruna	PDP	Bello Hassan Abdullahi	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	That the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
441.	Kogi	Ocholi Isaac Ausa	PDP	Edoko Moses Ododo	APC	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest Non-compliance with the Electoral Act& corrupt practices.	Full cancellation	Tribunal held that the Respondent was not qualified to contest due to his party violation of Section 85 of the Electoral Act and therefore APC did not have a valid candidate for the contest	Appeal dismissed	The Court of Appeal affirmed the decision of the Tribunal that the respondent was not validly nominated. An order for fresh election within 90 days was made thereafter.
442.	Kogi	Samuel David Omale	PDP	Momoh Rabiu Alfa	APC	Respondent not duly elected by majority of lawful votes; Respondent not qualified to contest Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The petitioner failed to proved their allegation of non-qualification or non-compliance with the Electoral Act		
443.	Kogi	Suleiman M. Babadoko	PDP	Umar Ahmed Imam	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner had failed to prove that there was substantial irregularity in the conduct of the election which substantially affected the results		
444.	Kogi	Usman Abdulkarim	PDP	Mohammed Osewu Zakari	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition struck out	Tribunal held that the Petitioner was not validly nominated by his party and thus, did not have legal standing to bring the petition.	Appeal dismissed	The Court of Appeal held that failure of the Petitioner to seek for the specific reliefs of nullification and an order for fresh election made the petition incompetent.
445.	Lagos	Balogun Abdulbaq Agboola	APC	Oluwa Olatunji Fatai	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	Tribunal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition.	Appeal dismissed	The Court held that the non-compliance established by the petitioner was not substantial & thus affirmed the judgment of the Tribunal.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
446.	Lagos	Hon. Muhibat Rufai-Adeyemi	APC	Victor Olusegun Akande	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	Tribunal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition 6 months	Appeal dismissed	Court of Appeal held that the non-compliance established by the petitioner was not substantial & thus affirmed the judgment of the Tribunal.
447.	Lagos	Ademola Adelabu	PDP	Fafunmi Oludayo Saka	APC	Respondent not qualified to contest	Petition dismissed	The Tribunal held that the nomination of the Respondent was proper & that the petitioner failed to prove the Non-qualification	Appeal dismissed	The Court held that the respondent's party primary election was valid & thus the respondent was validly nominated.
448.	Lagos	Amuda Yusuf Animashaun	PDP	Oluyinka Ogundimu	APC	Respondent not qualified to contest	Petition dismissed	The Tribunal ruled that the Petitioner failed to prove that at the time of the election, the respondent was not qualified to contest the election	Appeal dismissed	The Court held that the respondent's party primary election was valid & thus the respondent was validly nominated.
449.	Lagos	Arubo Ayinde Amidu	PDP	Prince Ademola Kasunmu	APC	Respondent not qualified to contest	Petition dismissed	The Petitioner failed to establish their allegations of non-qualification against the Respondent		
450.	Lagos	Fatai Kehinde Owolabi	PDP	Omotayo Aramide Oduntan	APC	Non-compliance with the Electoral Act& corrupt practices. Respondent not qualified to contest Respondent not elected by majority of lawful votes	Petition dismissed	The Petitioner was unable to prove his allegations of non-qualification & corrupt practices in the conduct of the election	Appeal dismissed	The Court of Appeal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition & thus affirmed the judgment of the Tribunal.
451.	Lagos	Francis Adegboola	PDP	Tunde Braimoh	APC	Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Petitioner failed to establish his allegations against the Respondents		
452.	Lagos	Ibrahim Obanikoro	PDP	Engr. Gbolahan Yishawu	APC	Non-compliance with the Electoral Act& corrupt practices. Respondent not elected by majority of lawful votes	Petition dismissed	The Tribunal held that the failure of the petitioner to appear for hearing or led evidence resulted to the dismissing of the petition	Appeal dismissed	The Court of Appeal affirmed the decision of the Tribunal and held that the petitioner's absence at the opening of the hearing would result to the dismissal of the petition

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
453.	Lagos	Ibrahim Olumide Ajiga	PDP	Oshun Moshood Olanrewaju	APC	Respondent not qualified to contest.	Petition dismissed	The Petitioner failed to establish his allegations of non-qualification against the Respondent	Appeal dismissed	The Court of Appeal held that the respondent's party primary election was valid & thus the respondent was validly nominated
454.	Lagos	Isola Jelili Balogun	PDP	Adekanye Oladele	APC	Respondent not qualified to contest	Petition dismissed	The Tribunal ruled that the Petitioner failed to establish their allegations of non-qualification against the Respondent	Appeal dismissed	The Court held that the respondent's party primary election was valid & thus the respondent was validly nominated
455.	Lagos	Moroof Olalekan Fijabi	PDP	Olawale Abdulsobur Olayiwola	APC	Non-compliance with the Electoral Act& corrupt practices. Respondent not elected by majority of lawful votes Respondent not qualified to contest	Petition dismissed	That the Petitioner was unable to prove his allegations of non-qualification & corrupt practices in the conduct of the election	Appeal dismissed	The Court held that the respondent's party primary election was valid & thus the respondent was validly nominated
456.	Lagos	Moyosore Adedoyi Ogunlewe	PDP	Bayo Sikiru Oshinowo	APC	Non-compliance with the Electoral Act& corrupt practices. Respondent not elected by majority of lawful votes Respondent not qualified to contest	Petition dismissed	The Tribunal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition	Appeal dismissed	The Court held that the petitioner failed to adduce convincing evidence in support of their petition & thus affirmed the judgment of the Tribunal
457.	Lagos	Muyideen Abdul-Raheem Tejumade	PDP	Ogunyemi Michael Olanrewaju	APC	Non-compliance with the Electoral Act& corrupt practices. Respondent not elected by majority of lawful votes Respondent not qualified to contest	Petition dismissed	The Petitioner failed to establish their allegations of non-qualification against the Respondent	Appeal dismissed	The Court of Appeal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition & thus affirmed the judgment of the Tribunal
458.	Lagos	Nejo Lamidi Augustine	PDP	Bisi Yusuf	APC	Non-compliance with the Electoral Act& corrupt practices	Petition dismissed	The Petitioner failed to establish his allegations contained in his petition.	Appeal dismissed	The Court of Appeal held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the judgment of the Tribunal

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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459.	Lagos	Oladejo Babatunde Munir	PDP	Olowo Rotimi Emmanuel	APC	Respondent not qualified to contest	Petition dismissed	The Petitioner failed to establish their allegations of non-qualification against the Respondent		
460.	Lagos	Olomowewe Bolaji	PDP	Hon. (Mrs.) Adefunmilayo Tejuosho	APC	Respondent not qualified to contest	Petition dismissed	The Petitioners failed to establish their allegations of non-qualification against the Respondent	Appeal dismissed	The Court of Appeal held that the respondent's party primary election was valid & thus the respondent was validly nominated
461.	Lagos	Oluwanishola Lateef	PDP	Giwa Shakirudeen	APC	Respondent not qualified to contest	Petition dismissed	The Petitioner failed to establish their allegations of non-qualification against the Respondent	Appeal dismissed	The Court held that the respondent's party primary election was valid & thus the respondent was validly nominated
462.	Lagos	Oluwasesan Adegboola Akeju	PDP	Alhaji Nurudeen Saka Solaja	APC	Respondent not qualified to contest	Petition dismissed	The Tribunal held that the petitioner did not have the locus to challenge the nomination process of the respondent since he was not a member of the party.		
463.	Lagos	Oyegoke Rotimi Samuel	PDP	Makinde Lanre	APC	Respondent not qualified to contest	Petition dismissed	The Petitioner failed to establish their allegations of non-qualification against the Respondent	Appeal dismissed	The Court of Appeal held that the respondent's party primary election was valid & thus the respondent was validly nominated
464.	Lagos	Robert Obhafuso	PDP	Folajimi Jubril Mohammed	APC	Respondent not qualified to contest.	Petition dismissed	The Petitioner failed to establish their allegations of non-qualification against the Respondent.	Appeal dismissed	The Court of Appeal held that the respondent's party primary election was valid & thus the respondent was validly nominated.
465.	Nasarawa	Alhaji Ibrahim Danladi Adamu	APC	Hon. Mohammed Muluku	PDP	Non-compliance with the Electoral Act& corrupt practices. Respondent not elected by majority of lawful votes	Petition dismissed	The Petitioner was unable to prove his allegations of corrupt practices & the non-compliance with the Act		

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466.	Nasarawa	Amos Kidere Agya	APC	Luka Iliya Zhekaba	PDP	Non-compliance with the Electoral Act& corrupt practices. Respondent not elected by majority of lawful votes.	Petition dismissed	The Tribunal held that Petitioner had failed to prove his case of over-voting on behalf of the Respondent.		
467.	Nasarawa	Anthony Sale Kyunni	APC	Peter Mbucho	PDP	Non-compliance with the Electoral Act& corrupt practices. Respondent not elected by majority of lawful votes.	Petition dismissed	The Petitioner failed to establish his allegations against the Respondent.		
468.	Nasarawa	Silas Dauji	LP	Daniel Ogah Ogazi	APC	Respondent not elected by majority of lawful votes	Petition dismissed	The Tribunal held that the Petitioner failed to prove the grounds of the petition.		
469.	Nasarawa	Hon. Anthony Abogye Obande	PDP	Dangana Akoza James	APC	Respondent not elected by majority of lawful votes	Petition dismissed	The Petitioners failed to establish their allegations against the Respondents		
470.	Niger	Abdullahi Ya'U	APC	Abbas Abdu Waziri	PDP	Respondent not elected by majority of lawful votes Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act	Appeal dismissed	The Court held that petitioner did not lead any cogent evidence to support the allegations contained in his petition &thus affirmed the judgment of the Tribunal
471.	Niger	Bala Jibo Marafa	APC	Bello Ahmad	PDP	Respondent not elected by majority of lawful votes Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act	Appeal dismissed	The Court held that petitioner failed to adduce convincing evidence in support of their petition & thus affirmed the judgment of the Tribunal
472.	Niger	Hon. Alhaji Ibrahim Ndaman	PDP	Musa Alhaji Sule	APC	Respondent not qualified to contest	Petition dismissed	The Tribunal held that the Petitioner had failed to prove his allegations against the Respondent	Appeal dismissed	The Court held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the judgment of the Tribunal

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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473.	Niger	Hon. Shu'aibu Mohammed Liman Iya	PDP	Comrade Murtala Badaru Adamu	APC	Respondent not qualified to contest	Full cancellation	The Tribunal held that there was sufficient evidence that the Respondent had not attained the age of 30 years to have enabled him contest the election and therefore nullified the said election and ordered for a fresh one.	Appeal dismissed	The Court affirmed the decision of the tribunal and held that the Respondent had failed to prove that he had attained the constitutional age of 30 years required to contest the election
474.	Ogun	Abayomi Fasuwu	APC	Olujimi James Otukoya	PDP	Respondent not elected by majority of lawful votes Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act	Appeal dismissed	The Court held that petitioner did not lead any cogent evidence to support the allegations contained in his petition & thus affirmed the judgment of the Tribunal
475.	Ogun	Adebayo Adebola Adekoya	APC	Olayinka Bowale	PDP	Respondent not elected by majority of lawful votes Non-compliance with the Electoral Act & corrupt practices.	Partial cancellation	The Tribunal nullified the election in 67 Polling Units and ordered INEC to conduct fresh elections in the affected Polling Units.	Appeal allowed	The Court held that the evaluation of the evidence by the tribunal was perverse and that the petitioner did not adduce cogent evidence to warrant the partial cancellation of the election
476.	Ogun	Bola Akeem Badejo	APC	Adejuwon Oyenuga	PDP	Respondent not elected by majority of lawful votes Non-compliance with the Electoral Act & corrupt practices	Partial cancellation	The Tribunal nullified the election in 7 Polling Units and ordered INEC to conduct fresh elections in the affected Polling Units.	Appeal allowed	The Court of Appeal held that the evaluation of the evidence by the tribunal was perverse and that the petitioner did not adduce cogent evidence to warrant the partial cancellation of the election
477.	Ogun	Falola Gabriel Ayinde	APC	Alhaji Oduntan Atanda Razaak	PDP	Respondent not elected by majority of lawful votes Non-compliance with the Electoral Act & corrupt practices.	Partial cancellation	The Tribunal nullified the election in 10 PUs and ordered INEC to conduct fresh elections in the affected PUs.		
478.	Ogun	Hon. Edunjobi Babatunde	APC	Mrs. Akintayo Julianah	PDP	Respondent not elected by majority of lawful votes Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner had failed to prove that there was substantial irregularity in the conduct of the election which substantially affected the results		

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479.	Ogun	Hon. Samuel Solarin	APC	Mojeed Olusesan Soyebo	PDP	Respondent not elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices	Petition dismissed	The Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act.		
480.	Ogun	Mrs. Sewande Felicia Towakennu-Olatunde	APC	Adebowale Viwanu Ojo	PDP	Respondent not elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Partial cancellation	The Tribunal nullified the election in 38 PUs and ordered INEC to conduct fresh elections in the affected PUs.	Appeal allowed	The Court of Appeal held that the evaluation of the evidence by the tribunal was perverse and that the petitioner did not adduce cogent evidence to warrant the partial cancellation of the election.
481.	Ogun	Oluwatosin Adeluyi	APC	Jemili Adigun Akingbade	PDP	Respondent not elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Electoral Act.		
482.	Ogun	Omotola Peter Banjo	APC	Wale Hassan	PDP	Respondent not elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Partial cancellation	The Tribunal nullified the election in 14 PUs and ordered INEC to conduct fresh elections in the affected PUs.	Appeal allowed	The Court held that the evaluation of the evidence by the tribunal was perverse and that the petitioner did not adduce cogent evidence to warrant the partial cancellation of the election.
483.	Ogun	Olaofe Dolapo Olayinka	UPN	Mrs. Akintayo Julianah	PDP	Unlawful exclusion;	Petition dismissed	The Tribunal held that the petitioner had Failed to adduce evidence to prove unlawful exclusion		
484.	Ondo	Akintunde John	APC	Akinsoyinu Ifedayo Olugbenga	PDP	Respondent not elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition struck out	The Tribunal ruled that the petitioner's application for pre-hearing notice was pre-mature & incompetent and thus rendering the petition a nullity.		

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485.	Ondo	Festus Oladapo Aregbesola (1)	APC	Adesanya Kemisola Adenike	PDP	Respondent not elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition struck out	Tribunal ruled that the petitioner's application for pre-hearing notice was pre-mature & incompetent and thus rendering the petition a nullity	Appeal allowed	The Court of Appeal held that the Tribunal was wrong to have held that the pre-hearing notice was incompetent & it ordered that the petition be tried de novo by another panel
486.	Ondo	Festus Oladapo Aregbesola (No. 2)	APC	Adesanya Kemisola Adenike	PDP	Respondent not elected by majority of lawful votes; Non-compliance with the Electoral Act& corrupt practices.	Petition dismissed	Petitioners failed to establish their allegations against the Respondent	Appeal dismissed	Court of Appeal affirmed the judgment of the Tribunal & held that petitioner did not lead any evidence to support his petition.
487.	Ondo	Gbenga Edema (No. 1)	APC	Coker Adeniyi Malachi	PDP	Respondent not elected by majority of lawful votes;	Petition struck out	The Tribunal ruled that the petitioner's application for pre-hearing notice was pre-mature & incompetent and thus rendering the petition a nullity	Appeal allowed in part	The Court of Appeal held that the Tribunal was wrong to have held that the pre-hearing notice was incompetent & it ordered that the petition be tried de novo by another panel
488.	Ondo	Gbenga Edema (No. 2)	APC	Coker Adeniyi Malachi	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Petitioner failed to establish the allegations against the Respondent	Appeal dismissed	The Court affirmed the judgment of the Tribunal & held that petitioner did not lead any credible evidence to establish his case
489.	Ondo	Ogunyemi Olumuyiwa Ojo (No. 1)	APC	Olotu Fatai	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that the petitioner's application for pre-hearing notice was pre-mature & incompetent and thus rendering the petition a nullity.	Appeal allowed	The Court held that the Tribunal was wrong to have held that the pre-hearing notice was incompetent & it ordered that the petition be tried de novo
490.	Ondo	Ogunyemi Olumuyiwa Ojo (No. 2)	APC	Olotu Fatai	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The petitioner failed to proved their allegation of non-qualification or non-compliance with the Electoral Act.	Appeal dismissed	The Court held that petitioner did not lead any cogent evidence to support his petition & thus affirmed the judgment of the Tribunal

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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491.	Ondo	Pastor Akingboye Leke David (No. 1)	APC	Prince Abayomi B. Akinruntan	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest.	Petition struck out	The Tribunal ruled that the petitioner's application for pre-hearing notice was pre-mature & incompetent and thus rendering the petition a nullity.	Appeal allowed	The Court held that the Tribunal was wrong to have held that the pre-hearing notice was incompetent & it ordered that the petition be tried de novo.
492.	Ondo	Pastor Akingboye Leke David (No. 2)	APC	Prince Abayomi B. Akinruntan	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest.	Petition dismissed	That the Petitioner was unable to prove his allegations against the Respondents.	Appeal dismissed	Court of Appeal held that petitioner failed to adduce credible evidence in support of his petition & affirmed the judgment of the Tribunal
493.	Ondo	Smart Adeuyi Omotadowa (No. 1)	APC	Tuyi Akintimehin	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition struck out	The Tribunal ruled that the petitioner's application for pre-hearing notice was pre-mature & incompetent and thus rendering the petition a nullity	Appeal allowed	The Court of Appeal held that the Tribunal was wrong to have held that the pre-hearing notice was incompetent & it ordered that the petition be tried de novo
494.	Ondo	Smart Adeuyi Omotadowa (No. 2)	APC	Tuyi Akintimehin	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act	Appeal dsmissed	The Court of Appeal held that petitioner did not lead any cogent evidence to support his petition & thus affirmed the judgment of the Tribunal.
495.	Ondo	Hon. Abayomi Ode	PDP	Engr. Mukaila Ayinde Musa	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that the petitioner's application for pre-hearing notice was pre-mature & incompetent and thus rendering the petition a nullity		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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496.	Ondo	Hon. Abiodun Ogunbi	PDP	Felemu Gudu Bankole Olusegun	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Preliminary objection dismissed	The Tribunal dismissed Respondent's preliminary objection & ruled that the pre-hearing notice was in order.	Appeal allowed	The Court of Appeal held that petitioner failed to apply for the pre-hearing notice within the stipulated time & thus the petition would be deemed abandoned.
497.	Ondo	Hon. Olujuyigbe Adekunle Francis	PDP	David Sunday Olajide	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition struck out	The Tribunal ruled that the petitioner's application for pre-hearing notice was pre-mature & incompetent and thus rendering the petition a nullity		
498.	Osun	Bashiru Adeyela	APC	Akinwale Akinwale Safiriyu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that Petitioner were unable to prove his allegations as a result of his failure to provide & lead evidence as to the violence & unlawful voting at the Polling units	Appeal dismissed	The Court held that petitioner did not lead any cogent evidence to support his petition & thus affirmed the judgment of the Tribunal
499.	Osun	Hon. Prince Adetilewa Sijuwade	APC	Oladejo Makinde	PDP	Respondent not duly elected by majority of lawful votes;	Petition dismissed	The Tribunal held that Petitioner had failed to establish his case	Appeal dismissed	The Court affirmed the judgment of the Tribunal & held that petitioner failed to adduce credible evidence in support of their petition
500.	Oyo	Akintunde S. Babatunde	Accord	Safiu Olalere	APC	Non-compliance with the Electoral Act & corrupt practices; Respondent not duly elected by majority of lawful votes	Petition dismissed	The Tribunal held that the Petitioner had failed to establish his case		
501.	Oyo	Hon. Amos Olusoji Oladejo	Accord	Hon. Akinmoyede Olafisoye Wasiu	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner had failed to establish his case		

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502.	Oyo	Hon. Ayeni Temitayo Sunday	Accord	Olaleye Olusegun Olaniyi	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices. Respondent not qualified to contest	Petition dismissed	The Tribunal held that the Petitioner had failed to establish his allegations against the Respondent		
503.	Oyo	Hon. Badiru Suleiman Deji	Accord	Hon. Bolaji Saheed Badmus	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	Tribunal held that the Petitioner had failed to establish their case.	Appeal dismissed	The Court of Appeal ruled that appeal was incompetent as a result of the petitioner's failure to properly compile the records for the Appeal.
504.	Oyo	Hon. David Babatunde Olaniyan	Accord	Bolanle Agbaje	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices. Respondent not qualified to contest	Petition dismissed	Tribunal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition.		
505.	Oyo	Hon. Ogunranti Funsho	Accord	Hon. Wahab Abiodun	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act	Appeal dismissed	The Court of Appeal held that both the notice of appeal & record of proceedings were incompetent having been filed and/or compiled in breach of the Practice Directions
506.	Oyo	Hon. Okunlola Olasunkanmi Olusegun	Accord	Oyatokun Oyeleke Adeyemi	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition		

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507.	Oyo	Hon. Olaoniye Sarafa Olaito	Accord	Jimoh Rafiu Akintunde	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act	Appeal dismissed	The Court of Appeal held that petitioner failed to adduce convincing evidence in support of their petition & thus affirmed the judgment of the Tribunal
508.	Oyo	Hon. Yekeen Taoreed Adesina	Accord	Hon. Sabur Kehinde	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Petitioner failed to establish his allegations against the Respondent		
509.	Oyo	Abimbola Ibrahim Omiyale	APC	Adeniyi Adesina Fatai	Accord	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	That the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act	Appeal dismissed	The Court of Appeal held that petitioner did not lead any cogent evidence to support the allegations contained in his petition & thus affirmed the judgment of the Tribunal
510.	Oyo	Adebolu Okikiolu Folorunsho	APC	Hon. Akeem Ademola Ige	Accord	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	Tribunal held that the petitioner failed to prove the allegations of corrupt practices in the election	Appeal dismissed	The Court of Appeal held that petitioner did not lead any credible evidence to establish his case & thus affirmed the judgment of the Tribunal
511.	Oyo	Adeshina Lanre Saheed	APC	Azeez Buniyamin Adesina	Accord	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act	Appeal dismissed	The Court of Appeal affirmed the judgment of the Tribunal & held that petitioner failed to adduce credible evidence in support of his petition
512.	Oyo	Alao Adediran Abiola	APC	Akande Solomon	LP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices Respondent not qualified to contest.	Petition dismissed	The Tribunal ruled that it had no jurisdiction to over the issue of improper nomination of a candidate.	Appeal dismissed	The Court of Appeal ruled that appeal was incompetent as a result of the petitioner's failure to appeal the main part of the Tribunal's judgment & failure to properly compile the records for the Appeal

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513.	Oyo	Aresa Nurudeen Kolawole	APC	Oyetunji Peter Olusegun	LP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices Respondent not qualified to contest	Petition dismissed	The Tribunal held that the Petitioner had failed to establish his allegations against the Respondent	Appeal dismissed	The Court of Appeal ruled that appeal was incompetent as a result of the petitioner's failure to properly compile the records for the Appeal
514.	Oyo	Atanda Kehinde	APC	Joshua Olagunju Ojo	LP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices Respondent not qualified to contest	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of the Non-qualification;	Appeal dismissed	The Court of Appeal held that petitioner did not lead any credible evidence to establish his case & thus affirmed the judgment of the Tribunal
515.	Oyo	Ganiyu Waliu Adekunle	APC	Oyekola Gbenga Joseph	LP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petitioner Declared Winner	The Tribunal held that Petitioner had proved his case of non-compliance in 4 PUs & after deduction of the nullified votes, it declared that the petitioner had majority of the lawful votes	Appeal allowed	The Court of Appeal held that non-compliance only occurred in 2 PUs. It therefore restored the results of the other 2 PUs which showed that the respondent won the majority of the valid votes in the election.
516.	Oyo	Hon. (Barr.) Yisau Adesope Azeez	APC	Aremu Gideon Tunji	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices.	Petition dismissed	The Tribunal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act	Appeal dismissed	The Court of Appeal held that petitioner failed to adduce convincing evidence in support of their petition & thus affirmed the judgment of the Tribunal

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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517.	Oyo	Kareem Maruff G. Akinlabi	APC	Oyebamiji Joshua	Accord	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the petitioner had failed to discharge the burden of proof required on them	Appeal dismissed	The Court of Appeal held that petitioner failed to adduce convincing evidence in support of their petition & thus affirmed the judgment of the Tribunal
518.	Oyo	Mohammed Yekeen	APC	Oladeji Olawumi	LP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	The Tribunal held that the Petitioner had failed to establish his allegations against the Respondent	Appeal dismissed	The Court of Appeal held that the appeal was incompetent due to the failure of the petitioner to compile transmit the record of Appeal in accordance with the Practice Directions
519.	Oyo	Muti Kolapo Raji	APC	Oloya Kehinde Ayinla	Accord	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices; Respondent not qualified to contest	Petition dismissed	The Petitioner failed to establish his allegations against the Respondent	Appeal dismissed	The Court held that petitioner failed to adduce clear evidence to establish his case & thus affirmed the judgment of the Tribunal
520.	Oyo	Ogundokun Olamide Mutiu	APC	Oguntade Samson Olasunkanmi	Accord	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Petitioner failed to establish his allegations against the Respondent	Appeal dismissed	The Court held that petitioner did not lead any credible evidence to establish his case & thus affirmed the judgment of the Tribunal
521.	Oyo	Akinbiyi Olatunji Oluwole	LP	Oyatokun Oyeleke Adeyemi	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the non-issuance of PVCs does not constitute an act of non-compliance with the Electoral Act.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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522.	Plateau	Gedeon Dashe	APC	Mwansat Istifanus Caleb	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that petitioner failed to establish that election was invalid by reason of corrupt practice	Appeal allowed	The Court nullified the results of Pyabor PU of Panksin South Constituency & ordered INEC to conduct fresh elections in the affected PUs.
523.	Plateau	Hon. Gondina Musa Sambo	APC	Ezekiel Bauda Afon	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that petitioner failed to establish that election was invalid by reason of corrupt practices of substantial non-compliance with the Act		
524.	Plateau	Jackson Ponzhi Danladi	APC	Vincent Venman Bulus	PDP	Respondent not qualified to contest	Full cancellation	The Tribunal found that the respondent had been convicted of an offence involving fraud by a court of law and therefore ineligible to contest the election	Appeal dismissed	The Court of Appeal affirmed the judgment of the Tribunal & held that petitioner was disqualified from contesting the election
525.	Plateau	Jerry Adankala	APC	Simon Ahile Kudu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the petitioner failed to prove all the allegations in the Petition.		
526.	Plateau	Daiyabu Dauda	PDP	Yahaya Adamu	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices	Petition dismissed	The Tribunal held that the petitioner failed to prove the allegations of over-voting or the allegations of non-compliance.		
527.	Plateau	Diket Plang	PDP	Alice Asaije Dimlong	APC	Respondent not duly elected by majority of lawful votes;	Petition dismissed	The Tribunal held that Petitioner had failed to prove his allegations of unlawful voting or votes.	Appeal allowed	Court of Appeal nullified the results of Nyelleng PU of Panksin North Constituency & ordered INEC to conduct fresh elections in the affected PUs.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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528.	Plateau	Hon. Yakubu Choji	PDP	Hon. Peter Azi	APC	Unduly Elected; Non-compliance with Act;	Petition dismissed	The Tribunal held that the petitioner failed to prove all the allegations in the Petition.		
529.	Rivers	Andrew A. Miller & 3 Ors	APC	Diri Kelly Adonye	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act & corrupt practices (violence, disenfranchisement of voters, rigging, massive fraud, improper accreditation, irregularities etc).	Full Cancellation	The petitioner established that there was over-voting and that the Respondent was not duly elected by majority of lawful votes cast at the election; The failure of INEC to use smart card readers for the disputed re-run election held on 18th April, 2015 is a non-compliance with the manual and guidelines made pursuant to the Electoral Act substantial to affect the outcome of the election.	Appeal by INEC dismissed	The Court held that the Petitioner/ Respondent did not go outside the spirit and meaning of section 138 of the Electoral Act by lumping together the complaints of corrupt practices and non-compliance as one ground and he could use his own words to convey the express provisions of the said section without fatal consequences; Failure of INEC to use Smart Card Reader Machines for accreditations in breach of its directives and guidelines made pursuant to the Electoral Act.
530.	Rivers	Anyanwu Leo Chinedu	APC	Kelechi G. Nwogu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, rigging, massive fraud, improper accreditation, irregularities etc).	Petition dismissed	The Petitioner lacks the locus standi to present the petition having not been validly nominated by his party.	Appeal allowed Respondent's election nullified	The Court held that the election was not properly conducted in compliance with the Electoral Act.

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531.	Rivers	Belema Okpokiri	APC	Dabo Torudima Adams	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, rigging, massive fraud, improper accreditation, irregularities etc).	Petition struck out	Failure of the Petitioner's solicitor to appear in court when the petition came up and duly listed even after being served with the hearing notice.		
532.	Rivers	Benibo F. Anabraba & Anor	APC	Tonye A. Alalibo & 4 Ors	PDP	Respondent not qualified to contest the election; Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, rigging, massive fraud, improper accreditation etc).	Full Cancellation	The Tribunal held that the Respondent was still in the employment of Chevron Nigeria Ltd as at the time he contested the election and thereby, committed the offence of giving false information to INEC upon which he was cleared to contest the election; The Respondent was not a registered voter in the said constituency or anywhere.	Appeal dismissed Appellant banned from recontesting the election.	The Court held that the right to complain against improper nomination lies with INEC not the Appellant/Respondent; The petitioner proved that the Appellant was still in the service of his employer at the time he contested the election.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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533.	Rivers	Chidi J. Lloyd	APC	Ogeh Samuel	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, rigging, massive fraud, improper accreditation etc).	Petition dismissed	Failure of the petitioner to file his final written address within the time allowed; The Petitioner is incompetent as petitioner was not validly nominated by his party.	Appeal allowed Election of the Respondent nullified.	The Court held that the right to complain about improper nomination lies with INE not the Respondent; It also held that the Appellant adduced credible evidence to establish the grounds of his petition.
534.	Rivers	Chigbo Sam Eligwe	APC	Okpokiri N. Okpokiri	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, rigging, massive fraud, improper accreditation etc).	Petition dismissed	Failure of the Petitioner to plead the votes cast at the various polling units, the illegal votes allegedly credited to the Respondent, the votes which ought to have been credited to him and the votes that should have been deducted from the Respondent's to prove that the Respondent was not elected by majority of lawful votes cast.	Appeal dismissed	The Court held that the election of the Respondent was conducted in substantial compliance with the Electoral Act.
535.	Rivers	Chikere Azubike Wanjoku (No. 1)	APC	Anselem Oguguo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, rigging, massive fraud, improper accreditation, gross malpractices etc).	Full Cancellation	The Petitioner proved that the election was marred by irregularities including the deliberate sabotage of the Card Reader Machine by INEC Supervisory Presiding Officers who removed the microchips and batteries and adopted manual accreditation contrary to directives; The refusal by INEC to use the Card Reader Machines was a substantial deviation from the intentment of the Electoral Act and indeed a gross malpractice, which vitiated the election.	Appeal dismissed	The Court held that the right to complain about improper nomination lies with INE not the Respondent; The addition of "INEC Manual Guidelines and Regulations" to grounds provided by section 138 (1) (b) of the Electoral Act does not make the ground incompetent; The election was not conducted in substantial compliance with the Electoral Act and INEC Guidelines and Manuals.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
536.	Rivers	Chikere Azubuike Wanjoku (No. 2)	APC	PDP	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, rigging, massive fraud, improper accreditation, gross malpractices etc).	Full Cancellation	The Tribunal held that the Petitioner proved that the election was marred by irregularities including the deliberate sabotage of the Card Reader Machine by INEC Supervisory Presiding Officers who removed the microchips and batteries and adopted manual accreditation contrary to directives; The non-use of the Card Reader Machines was a substantial deviation from the intendment of the Electoral Act and indeed a gross malpractice, which vitiated the election.	Appeal dismissed	The Court held that the Respondent/Petitioner proved his case as required by the law upon findings of profound non-compliance with the Act by the Tribunal.
537.	Rivers	Chima N. Nnokam	APC	Victor I. Nyeche	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, massive fraud, improper accreditation, gross malpractices etc)	Petition dismissed	The Tribunal held that the Petitioner failed to prove his grounds of petition as required by law.	Appeal dismissed	The Court held that the Petitioner/ Appellant filed his Appellants' Brief of Argument out of the statutory period mandated under paragraph 10 of the Election Tribunal and Court Practice Directions, 2011.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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538.	Rivers	Collins C. Ordu	APC	Amaewhule Martin Chike	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, massive fraud, improper accreditation, gross malpractices etc).	Full Cancellation	The failure of the election Officials to use the Card Reader machines for accreditation is in contravention of the manual and the guidelines made pursuant to the Electoral Act and renders the result of the election a nullity; The result of the election disclosed the fact of over-voting.	Appeal dismissed	The Court held that the election was not conducted in substantial compliance with the Electoral Act.
539.	Rivers	David Allen Akio	APC	Marshal O. Stanley-Uwom	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, massive fraud, improper accreditation, gross malpractices etc).	Petition dismissed	Failure of the Petitioner to prove his allegation of crime and non-voting; The result of the election enjoyed presumption of regularity in the absence of any rebuttable evidence.	Appeal dismissed	The Court held that the Appellant/ Petitioner failed to prove the allegation of non-voting; The use of the Card Reader machine has no legal or statutory backing since the established and only recognized mode of accreditation is the manual accreditation, premised on the voters' register, as provided in the Electoral Act.
540.	Rivers	Dike M. Nenubari	APC	Negbar Sylvester Amuele	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, massive fraud, improper accreditation, gross malpractices etc).	Full Cancellation	The Tribunal held that it was unlawful for one ward collation agent to sign results in 8 (eight) different wards when collation of results in those wards are supposed to go on simultaneously. This raises doubt as to the regularity and genuineness of the results announced in those 8 wards. It equally proves the petitioners allegation that the results announced by INEC were fictitious and fabricated.	Appeal dismissed	The Court held that the election was marred by massive irregularities and not conducted in substantial compliance with the Electoral Act.

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541.	Rivers	Eldred Lulu Braide	APC	Dagogo Doctor Farah	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, massive fraud, improper accreditation, gross malpractices).	Full Cancellation	The Tribunal held that INEC was in breach of its own rules in the conduct of the election by failing to use the card reader for accreditation	Appeal dismissed	The Court held that the Tribunal was right in nullifying the election having not been conducted in compliance with the Electoral Act.
542.	Rivers	Enos Williams I.S	APC	Evans Bipi	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, massive fraud, improper accreditation, gross malpractices).	Petition dismissed	The Tribunal held that the Petitioner lack the locus standi to present the petition having not been validly nominated by his party It also held that the Petitioner failed to prove adduce cogent evidence to prove over-voting.	Appeal allowed Election of the Respondent nullified	The Court held that the right to complain about improper nomination lies with NEC not the Appellant
543.	Rivers	Eric Chinedu Apia (No. 1)	APC	Martyns Manah	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, massive fraud, improper accreditation, gross malpractices).	Full Cancellation	The Tribunal held that it was unlawful for the same set of agents and same collation officer to have signed several summary result sheets for INEC; It also held that INEC failed to conduct proper accreditation through the use of the card reader and to tender the voters' register with duly accredited voters to explain the difference in figures recorded in the election.	Appeal dismissed	The Court held that the Tribunal properly evaluated the evidence before it in nullifying the election and the Appellate court has no basis or reason to disturb it.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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544.	Rivers	Eric Chinedu Apia (No. 2)	APC	Martyns Manah	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, massive fraud, improper accreditation, gross malpractices).	Full Cancellation	The Tribunal held that It was unlawful for the same set of agents and same collation officer to have signed several summary result sheets for INEC; Failure of INEC to conduct proper accreditation through the use of the card reader and to tender the voters' register with duly accredited voters.	Appeal by INEC struck out	Failure of INEC (Appellant) to seek the leave of the court below before filing its Notice of Appeal thereby, rendering the said Notice incompetent.
545.	Rivers	Friday Nubari Nke-ee	APC	Dinaebari Loolo	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, massive fraud, improper accreditation, gross malpractices).	Full Cancellation	The Tribunal held that INEC failed to use the card reader machines for accreditation of voters contrary to its Guidelines.	Appeal dismissed	The Court held that the petitioner proved that the election was marred by irregularities and not conducted in substantial compliance with the Electoral Act
546.	Rivers	Gift Emeka Wokocho	APC	Christian Ahiako	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, massive fraud, improper accreditation, gross malpractices)	Full Cancellation	The Tribunal held that INEC failed to use the card reader machines for accreditation of voters contrary to its Guidelines; It also held that the election was not conducted in substantial compliance with the Electoral Act.	Appeal dismissed	The Court held that the Tribunal was right in nullifying the election having not been conducted in substantial compliance with the Electoral Act.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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547.	Rivers	Benjamin Horsfall	APC	Enemi Alabo George	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, disenfranchisement of voters, massive fraud, improper accreditation, gross malpractices)	Full Cancellation	The Tribunal held that the Petitioner proved that the votes, upon which the Respondent was declared the winner of the election, were not lawful and valid votes but false votes/results.	Appeal dismissed	The Court held that the Tribunal was right in coming to the conclusion that the election was fraudulently manipulated to favour the Appellant.
548.	Rivers	Golden Ngozi Chioma & 3 Ors	APC	Tony U. Ejiogu	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, manipulation of results etc).	Full Cancellation	There was no proper or valid accreditation as a result of the failure of INEC to use the card reader machine. The petitioner also establish that there was over-voting; The Petitioner succeeded in proving the quantum of irregularities substantially that affected the final outcome of the election.	Appeal dismissed	Failure of the Appellant/Respondent to show that the order made by the Tribunal on the 7/9/15 refusing to revisit the issue of locus standi of the Respondent was not a final order or that the ruling has not determined the right of the parties; The trial Tribunal was right to have relied on the documentary evidence brought before it in nullifying the results of the election.
549.	Rivers	Henry Amangi Halliday & Anor	APC	Abinye Blessing Pepple & 2 Ors	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, manipulation of results etc).	Full Cancellation	The Tribunal held that INEC failed to authenticate voters through the Card Reader machine; It also held that the election was not conducted in substantial compliance with the provisions of the Electoral Act;	Appeal dismissed	The Court held that the trial Tribunal having earlier ruled on the issue of locus standi, which the Respondents failed to appeal against, have put the question of the primaries to rest in the said decision.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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550.	Rivers	Hope Barango Tariah	APC	Granville T. Wellington	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, manipulation of results etc).	Full Cancellation	The Tribunal held that the Petitioner established that the election was marred by violence and not conducted in substantial compliance with the Electoral Act.	Appeal dismissed	The Court held that INEC failed to conduct the election in substantial compliance with the Electoral Act.
551.	Rivers	Ibison N. Nwuche	APC	Eddison Ehie	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, manipulation of results etc).	Petition dismissed	The Tribunal held that the Petitioner failed to join as party to the petition, the person that was declared by INEC as the winner of the election is fatal to the petition; It also held that ground one of the petition is incompetent for combining allegations of corrupt practices and non-compliance as one ground.	Appeal allowed Election of the Respondent nullified	The Court held that INEC failed to conduct the election in substantial compliance with the Electoral Act having been fraud with malpractices and irregularities.
552.	Rivers	Ineye Jack	APC	Jack Major. M	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, manipulation of results etc).	Full Cancellation	The Tribunal found that the number of votes cast exceeded the number of voters accredited by the card reader, to that effect, the result for all the polling units are rendered null and void; The Tribunal also held that the Petitioner proved the election was marred with irregularities.	Appeal dismissed	Failure of INEC to conduct the election in substantial compliance with the Electoral Act having been fraud with malpractices and irregularities.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
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553.	Rivers	Innocent B. Barikor & Anor	APC	Isreal N. Lebura 2 Ors	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, manipulation of results etc).	Full Cancellation	The petitioner successfully established his allegation of improper accreditation and over-voting; Failure of INEC to conduct the election in substantial compliance with the Electoral Act	Appeal dismissed	The Tribunal properly evaluated the evidence before it in coming to its decision
554.	Rivers	Irene Inimgba	APC	Adoki Smart	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, manipulation of results etc).	Full Cancellation	It was wrong for INEC to have adopted manual accreditation instead of using the Smart Card Reader machines and this amount to substantial non-compliance with the Electoral Act and the Guidelines made by INEC pursuant thereto.	Appeal dismissed	The trial Tribunal correctly relied on the use of the Card Reader as the first mandatory step in the accreditation process; The Respondent/Petitioner duly established a case of over-voting as the total number of votes cast exceeded the total number of accredited voters/ballot papers issued.
555.	Rivers	Legborsi Nwidadah & Anor	APC	Barrienee Deeyah & Ors	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, manipulation of results etc).	Full Cancellation	Failure of the Respondent to establish that elections were held in all Khana I Constituency for Rivers State Constituency; Failure of the Petitioner's counsel to seal and stamp the petition is a mere irregularity, which does not vitiate the petition.	Appeal allowed	The Court held that the jurisdiction of the trial Tribunal and this court have not been properly invoked and therefore, the petition and all founded upon it are incompetent, made so by the failure to regularize the petition by sealing and stamping.

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556.	Rivers	Okechukwu Akara Nwaogu & Anor	APC	Chisom Promise Dike & 2 Ors	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, manipulation of results etc).	Petition dismissed	The Tribunal held that the Petitioner failed to speak to the documents tendered in evidence to explain the purpose for which they were tendered, so that the documents were merely dumped on the Tribunal; Failure of the Petitioner to properly state the scores of the candidates that participated in the election as announced by INEC; The Tribunal also held that it was wrong for the Petitioner to project the non-presence or improper use of Smart Card Reader as a ground for questioning the election;	Appeal dismissed	The Appellant/Petitioner failed to adduce any cogent or credible evidence to prove his case.
557.	Rivers	Otogwung Dressman	APC	Ikuinyi Owaji Ibani	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, improper accreditation, manipulation of results etc).	Full Cancellation	The Petitioner established that the election was fraught with several anomalies and that there was no accreditation, voting and collation, an indication that no election was conducted.	Appeal dismissed	The election was not conducted in substantial compliance with the Electoral Act.

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558.	Rivers	Victor Amadi	APC	Opurum Nwuzoma I.	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, improper accreditation, manipulation of results, malpractices etc)	Petition dismissed	Failure of the Petitioner to prove the grounds of his petition to warrant the Tribunal to overturn the election of the Respondent.		
559.	Rivers	Victoria Wobo Nyeche	APC	Ogbona Jones Nwene	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, improper accreditation, manipulation of results etc)	Petition dismissed	The Petitioner lacks the locus standi to present the petition having not been validly nominated by his party; The evidence of the Petitioner's witnesses is hearsay not being facts within their personal knowledge.		

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560.	Rivers	Vincent C. Oguagu	APC	Nathaniel Ezenju Uwaji	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, improper accreditation, manipulation of results etc)	Petition dismissed	Failure of the Petitioner to call sufficient witnesses from the 119 polling units to led evidence confirming that the alleged incidents of criminality and non-compliance indeed took place at the polling units.		
561.	Rivers	Wale Belief Azeru	APC	Michael O. Chinda	PDP	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, improper accreditation, manipulation of results)	Full Cancellation	Failure of INEC to use the Card Reader Machine in authenticating voters contrary to its Guidelines; The Petitioner proved substantial non-compliance which substantially affected the result of the election and return of the Respondent	Appeal dismissed	The Court held that election was not conducted in sunstantial compliance with the Electoral Act.
562.	Rivers	Isaac Kamalu	PDP	Josiah Olu	APC	Respondent not duly elected by majority of lawful votes; Non-compliance with the Electoral Act and corrupt practices (violence, irregularities, over-voting, massive rigging, improper accreditation & non-collation of results)	Petition dismissed	The Tribunal held that the Petitioner failed to lead direct evidence of witnesses to prove that election and accreditation took place, the result counted and announced but yet was not collated at the Collation Centre.		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
563.	Taraba	Abdulumuni Musa Maitumbi (No. 1)	APC	Edward Gideon Baraya	PDP	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Petition struck out	Tribunal held that failure of the petitioner's solicitor to indicate which of the lawyers signed the petition was fatal and rendered the petition incompetent.	Appeal allowed	The Court held that the Tribunal erred in striking out the petition & ordered that the petition be tried on its merit
564.	Taraba	Abdulumuni Musa Maitumbi (No. 2)	APC	Edward Gideon Baraya	PDP	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Petition dismissed	The petitione failed to lead credible evidence to establish the grounds of his petition.		
565.	Taraba	Adamu Muhammed	APC	Abdulkarim Mohammed	PDP	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Petition dismissed	Tribunal held that the Petitioner had failed to establish their case of non-compliance with the Electoral Act in the contested 8 PUs.	Appeal dismissed	The Court held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the judgment of the Tribunal
566.	Taraba	David Orbee Uchiv (No. 1)	APC	Pius Sabo	PDP	Non-compliance with the Electoral Act and corrupt practices.	Petition struck out	Petition was struck out on the ground of abuse of court process where Petitioner filed two petitions over the same election.	Appeal allowed	The Court held that there was nothing new in the "clean copy" of the petition for it to amount to a fresh petition. It therefore set aside the ruling of the Tribunal.
567.	Taraba	David Orbee Uchiv (No. 2)	APC	Pius Sabo	PDP	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Petition dismissed	The Tribunal held that the Petitioner had not establish his allegations against the Respondents	Appeal dismissed	The Court of Appeal held that the petitioner had failed to establish the allegations contained in his petition & thus affirmed the judgment of the Tribunal
568.	Taraba	Emmanuel Bongo	APC	Peter Abel Diah	PDP	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Partial cancellation	Tribunal cancelled elections of 8 PUs for non-compliance with the Electoral Act & ordered INEC to conduct fresh elections in the affected Polling Units.	Appeal allowed in part	Court of Appeal set aside the decision of the Tribunal on the list of objected votes but affirmed the order of fresh elections in the 8 Polling units.

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
569.	Taraba	Lawan Mohammed Neka	APC	Joseph Albasu Kunini	PDP	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Petition dismissed	Tribunal held that the Petitioner had failed to establish their case	Appeal dismissed	The Court of Appeal held that the Petitioner was unable to prove his allegation of corrupt practices & the non-compliance with the Act
570.	Taraba	Sanusi Usman	APC	Emmanuel Dame	PDP	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Partial cancellation	The Tribunal Tribunal cancelled elections of 11 PUs for non-compliance with the Electoral Act & ordered INEC to conduct fresh elections in the affected PUs.	Appeal dismissed	The Court held that the petitioner had failed to establish his allegations & thus affirmed the judgment of the Tribunal
571.	Taraba	Tanimu Mohammed Danlele (No. 1)	PDM	Josiah John Aji	PDP	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Petition struck out	The Tribunal held that the Petition was filed out of time.	Appeal allowed	The Court ruled that the petition was filed within the constitutional time frame & thus set aside the Tribunal's ruling
572.	Taraba	Tanimu Mohammed Danlele (No. 2)	PDM	Josiah John Aji	PDP	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Full cancellation	The Tribunal held that the election was marred by irregularities based on the information gotten from the Card Reader Report tendered during the trial	Appeal allowed	The Court held that Tribunal was wrong to have relied on the Card report which was not pleaded by the petitioner & thus set aside its judgment
573.	Taraba	Gambo Maikudi	PDP	Abdulsalam Alhaji Gambo (Mubarak)	APC	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Preliminary objection dismissed	The Tribunal ruled that the ground of the petition was proper and thus dismissed the objection of the Respondent	Appeal allowed	The Court ruled that the ground of the petition was not in conformity with the Electoral Act and therefore the Petition was incompetent
574.	Taraba	Hon. Iratsi Yohanna Adaki	PDP	Habila Timothy Anderifun	APGA	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Preliminary objection dismissed	The Tribunal ruled that the ground of the petition was proper and thus dismissed the objection of the Respondent	Appeal allowed	The Court of Appeal ruled that the ground of the petition was not in conformity with the Electoral Act and therefore the Petition was incompetent

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
575.	Taraba	Hon. Rashida Abdullahi	PDP	Barr. Bashir Muhammed	APC	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Preliminary objection dismissed	The Tribunal ruled that the ground of the petition was proper and thus dismissed the objection of the Respondent	Appeal allowed	The Court ruled that the ground of the petition was not in conformity with the Electoral Act and therefore the Petition was incompetent.
576.	Taraba	Alhaji Mahmud Inuwa Pitiko	SDP	Edward Gideon Baraya	PDP	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Petition struck out	The Tribunal held that the couching of the ground of the petition was not in conformity with the Electoral Act and it was filed out time		
577.	Taraba	Baba Ahmed Bako	SDP	Mark B. Useni	PDP	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Petition struck out	Tribunal held that failure of the petitioner's solicitor to indicate which of the lawyers signed the petition was fatal and rendered the petition incompetent.		
578.	Taraba	Hon. Daniel G. Tsokwa	SDP	Hosea Ibi	PDP	Non-compliance with the Electoral Act and corrupt practices; Respondent not elected by majority of lawful votes.	Petition dismissed	The Tribunal ruled that failure of the petitioner to response or participate in the pre-hearing session amounted to abandoning of the petition	Appeal dismissed	The Court of Appeal held that the Tribunal was right to have struck out the petition
579.	Yobe	Hon. Ishaka Sanni Audu	APC	Audu Maisamari Babale	PDP	Respondent not elected by majority of lawful votes. Respondent not elected by majority of lawful votes.	Petitioner Declared Winner	The Tribunal held that the Respondent was not duly elected and that the Petitioner had more votes than the Respondent after the cancellation of results from the affected PUs.		
580.	Zamfara	Abdukadir Abdullahi	PDP	Sanusi Garba Rikiji	APC	Unduly Elected; Non-compliance with Act;	Petition dismissed	The Petitioner was unable to prove his allegations against the Respondent		

S/N	STATE	PETITIONER	PARTY	RESPONDENT	PARTY	GROUND (S) FOR PETITION	TRIBUNAL		COURT OF APPEAL	
							DECISION	REASONS	DECISION	REASONS
581.	Zamfara	Hadi Saidu	PDP	Salisu Musa Tsafe	APC	Unduly Elected; Non-compliance with Act;	Petition dismissed	The Tribunal held that Petitioner failed to establish his allegations against the Respondent.		



# ISSUES ARISING FROM THE DECISIONS OF COURTS ON POST 2015 ELECTION PETITIONS

An analysis of the decisions of the courts on the electoral petitions filed in 2015 showed that majority of the cases were dismissed and/or struck out. In a number of those cases, the reasons adduced by the courts conflicted in some cases and became subjects of controversy among stakeholders. Some of these included the conflicting decisions of the courts on the validity and efficacy of the Smart Card Readers, party primaries/nomination of candidates for elective offices and the time within which to file dispositions of subpoena witnesses. Others were the poor handling of petitions by lawyers, reliance on technicalities by the courts, limitation of time within which election matters are heard and determined, burden of proving a petition and electoral violations committed by some politicians and INEC officials as found by the courts.

## A. CONFLICTING JUDGMENTS

### I. SMART CARD READERS

One of the novelties during the general election of 2015 was the introduction and use of the Smart Card Reader device by INEC for accreditation. According to INEC, the Card Reader is specifically designed and configured to read only the PVCs of a particular polling unit and could only work on Election Day. The decision by INEC to use the Card Reader for the authentication of fingerprints and accreditation of voters during the elections was an effort aimed to sanitize and improve the credibility of the electoral process. Prior to the authorisation of its use by INEC, Sections 49(1) and (2) of the Electoral Act<sup>53</sup> had ordained an analogue procedure for the accreditation process. Politicians routinely abused that system in such a way that many people manipulated the process and participated in multiple voting as well as most people often voted with other persons' voter cards without being detected. That and several other malpractices diminished the credibility of previous elections.

The introduction of the SCR did not immediately solve the problem of fraudulent manipulation of elections in Nigeria. INEC encountered and contended with some challenges with the use of the card reader. However stakeholders from across all sectors of Nigeria and foreign friends were generally agreed that the device added significant credibility to the outcome of the 2015 elections.

53 2010 (as amended)

Approximately 100 (17.8%) of the cases examined in this research were anchored on the issue of over-voting arising from non/improper use of the Card Readers for accreditation of voters. A gale of controversies aroused from the SCR as petitioners as well as the Election Petition Tribunals got caught up in conflicting interpretations to its legality and efficacy in proving allegations of petitioners or counter arguments of respondents. On the one hand, lawyers to INEC were consistent in their argument at the various Election Petition Tribunals and Appellate Courts that the directive by INEC on the use of the SCR for accreditation of voters was supported by the powers obliged it by the Electoral Act to formulate processes to deliver free and fair election. Expectedly, lawyers to petitioners and respondents took divergent positions, depending on which suited their case.

Those who argued that failure to use the Card Reader did not constitute a ground to challenge or invalidate the outcome of the election also took the view that the Card Reader could not be used to establish over-voting or other forms of irregularities or to prove improper accreditation. In some cases, their argument found favour with members of the Tribunals and Justices of the appellate Courts. They upheld these submissions and rejected the evidence of accredited voters and the number of votes generated through the Card Reader. In cases where members of the Tribunals and Justices of the Appellate Courts were satisfied that the provisions of the Electoral Act backed the use of the Card Reader for the conduct of accreditation at election, they gave verdict accordingly.

### **a) Decisions that invalidated the Card Reader**

A case of note is the judgment of the Court of Appeal in *APC vs Agbaje*,<sup>54</sup> delivered on August 26, 2016, preceding subsequent Court of Appeal decisions on the issue of card reader. In that case, the Court of Appeal per Ogbuinya, JCA, rejected the argument that non/improper use of the card reader is a ground to question an election when he held thus:

*“The evolution of smart card reader is a familiar one. It came to being during the last general election held in March and April, 2015 in Nigeria. On this score, it is a nascent procedure injected into our infant and fledging electoral system to ensure credible and transparent election. Specifically, it is aimed to concretise our fragile process of accreditation – the keystone of any suffrage. The concept, owing to its recent invention by INEC, a non-legislative body, traces its paternity to the Manual for Election Officials, 2015: Chapter 2, pages 35-42. Put the other way round, the extant Electoral Act, 2010, as amended, which predates the concept, is not its parent or progenitor. Since it is not the progeny of the Electoral Act, a ground in a petition fronting it as a ground to challenge any election does not have the blessing of the Act according to section 138 (1) of the Act. Put simply, a petitioner cannot project the non-presence or improper use of*

54     *Supra*

*smart card reader as a ground for questioning an election it does not qualify as one”.*

In jurisprudence, the implication of this judgment is that it laid a legal ground-norm or premise upon which any petition or matter brought before an election Tribunal or Court of Appeal based on the use of the card reader would be determined. The reason is that the Court of Appeal is a higher court of competent jurisdiction whose decision or judgment must be respected by any Tribunal as well as other Divisions of the Court of Appeal with concurrent jurisdiction.

Thus, the Court of Appeal, Kaduna Division, in *Polycarp Danladi vs Nasir Ahmed El-Rufai*<sup>55</sup> adopted the view of Ogbuinya, JCA, to the effect that the voters' register remains the only valid document for the conduct of accreditation and not the card reader. The court held that:

*“Against the backdrop of the foregoing salient provisions of paragraph 25 of the Guideline for Electoral Officers, 2015, it is obvious, contrary to the postulations of the Appellant, that the voters' register still remains to be a veritable and indispensable documentary evidence of the total number of registered voters and the total number of accredited voters. Thus, it behoves the presiding officer to compare the number of votes verified by the card reader with the number number checked in the register of votes...”*

Also, in the case of *David Allen Akio vs Marshall Stanley-Uwom*,<sup>56</sup> Yakubu JCA, while affirming the judgment of the Rivers State, National and State Houses of Assembly Election Tribunal, which declared the provision of INEC Manual on the card reader as ultra vires, null and void stated:

*“...the 2015 Manual on Elections made by the Independent National Electoral Commission (INEC), would need to move from its lofty ideals through the process of law making as it were, for it to really concretize the process of accreditation and donate credibility to our electoral process and conduct...”*

It is clearly a new technological invention which is aimed at giving some credibility and integrity to our electoral process of accreditation. However, it appears that for it to have real and mature teeth to bite, there must be a substantive legislation to back it up. Hence the lofty and commendable introduction of the card reader into our electoral process must be statutorily concretized. For now, the established and recognized mode of accreditation is the manual accreditation, premised on the voters; register, as mandated statutorily in the Electoral Act, 2010 (as amended)“.

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55 (Unreported), Appeal No. CA//K/EPT/GOV/15/2015) at P. 35

56 (Unreported), Appeal No. CA/A/EPT/734/2015 P. 17

Further, the Enugu State Division of the Court of Appeal in *Prince Chukwuemeka Mamah vs Dennis Nnamdi Agbo*<sup>57</sup> maintained that non-compliance with the INEC Guidelines and Manual is not synonymous with non-compliance with the Electoral Act. The court per Agim, JCA, stated:

*"The use of the card reader and incident forms as part of the process of identifying the person intending to vote as a registered voter is not provided for in the Electoral Act, 2010... The arguments of learned counsel for the Appellants assume that non-compliance with the 3rd Respondent's said Manual or Guidelines for an election amounts to non-compliance with the Electoral Act. It is not as simple as that."*

The courts have also held that reports generated through the aid of the Smart Card Reader on the number of voters accredited is unreliable and of no forensic value. In *APC vs PDP*,<sup>58</sup> the Cross River State National and State Houses of Assembly Election Petition Tribunal held that:

*"... we are of the firm view and equally hold that the Card Reader Report (Exhibit 23PA7) is unreliable and of little or no forensic value and cannot therefore be looked into to ascertain the accurate number of voters accredited by the Card Reader Machines in the 11th April, 2015 elections for Yakurr 1 State Constituency seat of the Cross River State House of Assembly."*

In *Aisha Alhassan vs Darius Ishaku*,<sup>59</sup> the Taraba State Governorship Election Petition Tribunal rejected the number of votes generated through the card reader and held that:

*"... the tabulated figures produced by the petitioners derived from the card reader report as a basis to demonstrate the particulars of aggregate invalid votes from the various local governments is of no avail since card reader reports are not the relevant measure to determine over-voting or other electoral malpractices allegedly associated with the use of the card reader"*

Some other cases where the courts discarded the reports generated through the Card Readers include *Mark Atabi vs Peter Odey*,<sup>60</sup> *Senator Bassey Otu vs Gershom Bassey*,<sup>61</sup> *Hon. Mkpanam Obo-Bassey Ekpo vs Daniel Asuquo*,<sup>62</sup> *Robinson Uwak vs Nse Bassey Ekpeyong*,<sup>63</sup> and *Edward*

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57 (Unreported), Appeal No. CA/E/EPT/24/2015) 32  
58 (Unreported), Petition No. EPT/CR/SH/23/2015 P.71  
59 (Unreported), Petition No. EPT/TRS/GOV/23/2015  
60 (Unreported), Petition No. EPT/CR/SH/18/2015 page 35  
61 (Unreported), Petition No. EPT/CR/SE/2/2015  
62 (Unreported), Petition No. EPT/CR/NA/12/2015  
63 (Unreported), Petition No. EPT/AK/NA/HR/8/2015

*Okereke vs Nweze David Umahi*<sup>64</sup>.

## **b) Decisions that validated the Card Reader**

Contrary to established practice whereby the judgment by Justice Ogbuinya, JCA, in *APC vs Agbaje*<sup>65</sup> which thumbed down on the validity of the Card Reader in the April 11, 2015 Governorship elections sought to have been the subsisting judgment until the Supreme Court ruled otherwise, this was not to be. Several other Election Petition Tribunals and other Divisions of the Court of Appeal jettisoned this position in preceding judgments. They nullified several elections based on the reports generated through the Smart Card Readers.

For example in *Eldred Lulu Braide vs Dagogo Farah*<sup>66</sup>, the Rivers State National and State Houses of Assembly Election Petition Tribunal rejected the argument of the learned counsel to the Respondent to the effect that the improper or non-use of the Card Reader for accreditation cannot ground nullification of the election as held in *APC vs Agbaje*.<sup>67</sup> The Tribunal held thus:

*"With due respect to the learned Counsel to the Respondents' the decision of the above case is quoted out of context vis-à-vis the case at hand. The petitioner in this petition did not make the non-use or improper use of the Card Reader machine a ground for nullification of the Election. . . . Let us emphasise that use of Card Reader in the 11/04/2015 election particularly Governorship and House of Assembly Election is a sine qua non. By the various publications and instructions mentioned earlier in this petition and their relevant Exhibits in support . . . regarding the use of card it is absolutely clear that the breach of it will affect the conduct of any election where it is not complied with. We therefore do not agree with the Respondents contention that the said Manual for electoral guidelines issued by the 3rd Respondents and the various Newspaper publications to that effect are in conflict with Section 139(1) of the Electoral Act, 2010 (as amended) but it is rather in furtherance to it."*<sup>68</sup>

Also, in *Dakuku Peterside vs Nyesom Wike*<sup>69</sup>, the Tribunal nullified the election of Wike based on non-compliance with the Guidelines regarding the directive on the Card Reader and stated thus:

*"We therefore consider any subsequent act of non-compliance with the contents of Exhibits A301, B31 and A9 on the efficacy of the card reader for the election as*

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64 *Petition No. EPT/EB/GOV/01/2015) P.187*

65 *Supra*

66 *(Unreported), Petition No. EPT/RV/SA/26/2015*

67 *Supra*

68 *Supra, page 63*

69 *Supra*

*an act which will render the election a nullity. The public funds sacrificed in the procurement of the card readers are not for fun but to enhance the credibility of elections in Nigeria. That ought to be held with esteem by all officers of the 1st Respondent in the conduct of the elections”.*

The Tribunal further stated:

*“It was by this enormous powers conferred on INEC that the body introduced the card reader to bring sanctity into the electoral body. ... The albatross around the neck of the Rivers State INEC is that it totally failed, neglected and refused to follow the guidelines as set out by the controlling body. The blatant and brazen disobedience of the Rivers State INEC officials cannot render the use of the card reader unlawful. The INEC Card Reader usage is well entrenched in the Electoral Act and Regulations by the authority with which INEC has been well endowed”.*

The Court of Appeal, Abuja Division, affirmed the above decision of the Tribunal and opined that INEC’s Manual and Guidelines for the conduct of elections form an integral part of law and failure to comply with them could constitute a ground to challenge an election. The Court held that:

*“My understanding of the above provision of the Electoral Act, 2010, as amended, is that the act or omission of any Electoral Official of INEC, which is contrary to the provisions of the Electoral Act committed after instruction or directive of INEC to its officials concerned can be a ground for questioning the election and it comes under section 138 (1) (b) of the Electoral Act, which is one of the grounds upon which the petition was predicated. A failure to follow INEC’s Manual and Approved Guidelines and Regulations constitutes direct violation of sections 49, 57, 58, 73, and 74 of the Electoral Act. ... The manual and Approved Guidelines form an integral part of law and regulations for the conduct of election and INEC Officials must scrupulously and dutifully comply with it.”*

The Court also held that:

*“Thus INEC Guidelines and Manual cannot be obeyed in breach of its provisions. Even Exhibits B30, B31 and A301 the Press Release, Directive and Instruction of INEC to its officials are enough warnings and pointers that INEC meant it and wanted Smart Card Reader (sic) to be used in accreditation of voters for Governorship election in Rivers State.”*

Similarly, in *Josiah John Aji vs Tanimu Mohammed Danlele*<sup>70</sup> the court of Appeal held that the position of the law on proof of accreditation has changed with the introduction of the Smart Card Reader. The Court per Onyemenem, JCA, stated that:

*"The submission of the Appellant ...that the only document that can be used to prove non-accreditation is the Voters' Register of the polling unit as decided in Ayodeji v Ajibola (2013) LL FWLR (Pt. 660) 1327 at 1370 no longer represents the law as smart card Readers were not in existence when that case was decided. With the advent of the smart card readers, accreditation cannot be conclusively considered without same. Smart card readers form part of the procedure of accreditation. In our current electoral jurisprudence, accreditation is done electronically with smart card readers and manually by the ticking of the Voters' Register. Where a Permanent Voters' Card (PVC) cannot be read by the Smart Card Reader, an incident form is used to back up where there is no ticking. Therefore, accreditation cannot be proved without the full consideration and examination of a card reader, Voters; Register and incident Forms"*

Ejembi Eko, JCA, held the same view in the case of *Umana vs Emmanuel*<sup>71</sup> when he stated that:

*"I do not believe that with the fast pace of development globally and the whole world embracing the latest IT technologies, that resistance should be placed to emerging technologies geared towards transparency in elections, by backward thinking interpretations that can only be deleterious to the system. Holding otherwise would be to truncate the great efforts of the 3rd Respondent (INEC) in its bid to ensure credible election and in so doing attempt to plug all loopholes that can be exploited by unscrupulous persons."*

Other examples of cases where the courts have followed the above reasoning include *Engr. Ineye Jack vs INEC*,<sup>72</sup>*Collins Ordu vs Amaewhule Martin Chike*,<sup>73</sup>*Yahaya vs Onawo*<sup>74</sup> and many more.

### **c) Position of the Supreme Court on the Card Reader**

The Supreme Court did not share the view that any accreditation figure not consistent with or validated by a Card Reader constitutes a breach of the Electoral Act. Consequently, it did not accord any probative value on reports emanating from the Card Reader Machines. Even

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70 (Unreported), Appeal No. CA/YL/EPT/TRS/SHA/199/2015

71 (Unreported), Appeal No. CA/A/EPT/656A/2015

72 (Unreported), Petition No. EPT/RV/SA/21/15 page 78 – 79

73 (Unreported), Petition No. EPT/RV/SA/27/2015 Page 22 – 23

74 (Unreported), Petition No. EPT/NS/HR/8/2015 page 90-92

though the apex court did not declare the Card Reader illegal, it, however, maintained that it was only a supplementary measure to the Voters' Register or manual accreditation and has not replaced the statement of election results in the appropriate forms, for the purpose of proof of voting/over-voting.

The first pronouncement of the apex Court on the issue was made in *Shinkafi vs Yari*<sup>75</sup> and latter reaffirmed in *Udom Emmanuel vs Umana*,<sup>76</sup> *Edward Okereke vs Dave Umahi*,<sup>77</sup> *Ikpeazu vs Alex Otti*<sup>78</sup> and *Wike vs Peterside*.<sup>79</sup> In *Mahmud Shinkafi vs Abdulazeez Yari*,<sup>80</sup> the Supreme Court confirmed the position that the Card Reader Machine has not supplanted the statement of results in appropriate forms. The Court per Okoro, JSC, held thus:

*"My understanding of the function of the Card Reader Machine is to authenticate the owner of a Voter's card and to prevent multi-voting by a voter. I am not aware that the Card Reader Machine has replaced the voters' register or taken the place statement of result in appropriate forms. As it stands, it appears that the Appellants did not lead any evidence to prove over-voting.*

In *Edward Okereke vs Dave Umahi*<sup>81</sup> the Court per Chima Nweze, JSC, in holding that the Appellant failed to prove over-voting by not tendering the Voters' Register, held that:

*"Indeed, since the Guidelines and Manual, which authorized the use and deployment of the electronic Card Reader were made in exercise of the powers conferred by the Electoral Act, the said card reader cannot, logically, depose or dethrone the Voters' Register whose judicial roots are, firmly, embedded or entrenched in the selfsame Electoral Act from which it (the Voters' Register) directly, derives its sustenance and currency. Thus, any attempt to invest it (the Card Reader Machine Procedure) with such overreaching pre-eminence or superiority over the Voters' Register is like converting an auxiliary procedure into the dominant procedure of proof, that is, proof of accreditation. This is a logical impossibility... since the National Assembly has not deleted the provision of Section 49 of the Electoral Act (2010), which allows manual accreditation, it would be wrong for any Petitioner to seek to rely solely on the report of the Card Reader (which is intended as a supplementary measure to the already provided means of accreditation) to prove over-voting."*

75 (2016) 7 NWLR (PT. 1511) 30

76 (2016) SC 12 NWLR (PT. 1526) 179 @ 237-238, Paras E-F

77 (Unreport), Appeal No. SC.18/2016

78 (Unreported), Appeal No. SC.18/2016

79 (2016) SC 7 NWLR (PT.1512) 452 @ 522, Paras B-C

80 *Supra* P.30

81 *Supra*, page 33-34

He concluded at page 42 by stating:

*"In all, the law on the proof of improper accreditation and over-voting has remained inexorable and has not been whittled down by INEC's approval of the deployment of the Card Reader Machine procedure"*

Olatokunbo Kekere-Ekun, JSC, also expressed the above view in the lead judgment delivered by the Supreme Court on 12 February, 2016 in the case of *Wike vs Peterside*<sup>82</sup> where she stated thus:

*"... I am of the view and I do hold that the Tribunal and the lower court were unduly swayed by the INEC directives on the use of the card readers. As held by this court, the INEC directives, Guidelines and Manual cannot be elevated above the provisions of the Electoral Act so as to eliminate manual accreditation of voters. This will remain so until INEC takes steps to have the necessary amendments made to bring the usage of the Card Reader within the ambit of the substantive Electoral Act."*

The Supreme Court concedes that Section 153 of the Electoral Act donates power to INEC to issue regulations, guidelines or manuals with respect to the administration of the electoral process & system, but held that the power so conferred does not authorize INEC to amend any provisions of the Electoral Act. In this particular instance, the Supreme Court views the introduction of the Smart Card Reader by INEC for accreditation of voters, as a conflicting directive with the express provisions of the Electoral Act. The Court, per Justice Okoro, JSC, in *Oghenetega Emerhor vs Ifeanyi Okowa*<sup>83</sup> held thus:

*"Thus, when INEC officials comply with Section 49 of the Electoral Act (as amended) on procedure for accreditation but breaches any directive of INEC on the same issue, it cannot be said that these officials failed to comply with the provisions of the Electoral Act. ... At best, they may have disobeyed a mere directive of the Commission. A directive of INEC cannot supersede or amend the provisions of the Electoral Act. I need not say more on this."*

With the intervention of the Supreme Court in the above-cited cases, it is believed that petitioners and Election Tribunals will begin to appreciate the position of the Card Reader and the reports generated therefrom, in election litigation.

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82 *Supra*, page 49

83 *(Unreported)*, SC.23/2016 page 25-26

## II. PARTY PRIMARIES

Like the Card Reader, the issue of party primaries featured prominently in the post-2015 election petitions leading to differing verdicts by the courts. The arguments were anchored on four major issues. First, whether issues relating to nomination of party candidates is a pre-election matter, which could not be determined by Election Petition Tribunals. Secondly, can a member of a political party challenge the process of nomination of candidates by another political party, not being a member of that party? Thirdly, whether a member of a political party who did not participate as a candidate in his/her party's primary can challenge the conduct of such primary. Lastly, whether the grounds/issues for the disqualification of a candidate for an election provided under the Constitution is synonymous to nomination under Sections 85 and 87 of the Electoral Act.

### a) Positions of Election Petition Tribunals on Party Primaries

Some judges had maintained that party primary relates to pre-election matters, which cannot be questioned by a non-participant or determined by an Election Petition Tribunal. Others held that party primary qualifies as both pre-election and election matters, which can be challenged by non-party members or participants and entertained by Election Tribunals.

For example, in the case of *Chinda Julius Lloyd vs Ogeh Samuel*,<sup>84</sup> the Rivers State National and State Houses of Assembly Election Tribunal dismissed an interlocutory application, which had challenged the locus standi of the Petitioners on grounds of non-compliance with the provisions of Section 85 (1) of the Electoral Act. The Tribunal held to the effect that the issue of nomination and sponsorship of candidates by political parties was a pre-election matter over which the Tribunal was not competent to entertain. Strangely, when the issue was raised again by the Respondents in their final written address, the Tribunal reversed its earlier decision and held in the final judgment that the Petitioners were not competent at the time of filing the petition, dismissing it on grounds of improper nomination. The Tribunal relied on the authority of the Court of Appeal in *Labour Party vs Nyesom Wike & Ors*<sup>85</sup> delivered on 21st September, 2015 where compliance with the provisions of Section 85 (1) of the Electoral Act was held to be mandatory.

Similarly, in *Abdulahi Mohammed vs Hajia Musa Salau*<sup>86</sup> the Kano State National and State Houses of Assembly Tribunal, per Hon. Justice K.I Akintola, agreed with the position that the issue of qualification of a candidate to contest an election was both a pre-election and election matter. The Tribunal in arriving at its decision adopted the view of the Supreme Court per Onnoghen, JSC, in *Dangana vs Usman*<sup>87</sup> where he stated thus:

84 (Unreported), Petition No.EPT/RV/SA/49/2015

85 (Unreported), Appeal No.CA/A/EPT/492/2015

86 (Unreported), Petition No.EPT/KN/SHA/04/2015

87 (2013) 6 NWLR (Pt. 1349) at page 89-90

“... I therefore hold the considered view that an issue of qualification of a candidate to contest an election under the Electoral Act 2010 (as amended) is both a pre-election and election matter which both the High Court and the relevant election Tribunal have jurisdiction to hear and determine... The jurisdiction to hear and determine the issue of qualification of a candidate in an election is therefore parallel, one through the High Courts and the other through the election Tribunal. It is common knowledge that the parallel lines never meet.”

In *Akuso Yusuf Danjuma vs Jagaba Adams Jagaba*<sup>88</sup> the Kaduna State National and State Houses of Assembly Election Tribunal, ruled that by the precedents in the Supreme Court decisions of *Dangana vs Usman*,<sup>89</sup>*Wambai vs Donatus*,<sup>90</sup> a Petitioner can challenge the propriety or otherwise of the Respondent party's primaries.

Related verdicts were reached by Tribunals in the following cases: *Anthony Chinedu Okocha vs Kingsley Ogundu Chinda*;<sup>91</sup>*Atabor Cosmas vs Sani Friday*;<sup>92</sup>*Ahmed Mohammed vs Ibrahim Abdulmumini Alhaji*;<sup>93</sup>*Michael Zidon vs Kwamoti Bitrus La'ori*;<sup>94</sup>*Ogembe Salau Ahmed vs Mohammed Abdulsalami Ohiare*;<sup>95</sup>*Akinjo Kolade Victor vs Lucky Orimisan Ayedatiwa*;<sup>96</sup>*Aisha Jummai Alhassan vs Darius Ishaku*<sup>97</sup> and a host of other cases.

## **b) Positions of Courts of Appeal on Party Primaries**

The Court of Appeal affirmed the above views respectively in *APC vs Agbaje*;<sup>98</sup>*Akinjo Victor vs Lucky Ayedatiwa*;<sup>99</sup>*Olakunle Okunola vs James Abiodun Falake*;<sup>100</sup>*Abdulrahman Abubakar vs Sen. Atai Aidoko Usman*;<sup>101</sup>*Friday Adayi vs Comrade Salifu Idachaba*;<sup>102</sup>*Victor Umeh vs Uche Ekwunife*<sup>103</sup> and *Hassan Abdullahi vs Abdul Ogwu Alhassan*.<sup>104</sup>

88 (Unreported), Petition No.KD/EPT/NA/01/2015

89 *Supra*

90 (2015) MJSC 178

91 (Unreported), Petition No.EPT/RV/NASS/R/12/205 P.17

92 (Unreported), Petition No.EPT/KG/HA/25/2015 Pages 10 – 21

93 (Unreported), Petition No.EPT/KG/HA/15/2015

94 (Unreported), Petition No.EPT/AD/HR/02/2015

95 (Unreported), Petition No.EPT/KG/NASS/SEN/08/15

96 (Unreported), Petition No.EPT/AK/HR/4/2015

97 *Supra*

98 *Supra*

99 (Unreported), Appeal No.CA/AK/HR/145A/2015

100 (Unreported), CA/L/EP/HR/1073/2015

101 (Unreported), Appeal No.CA/A/EPT/609A/2015

102 (Unreported), Appeal No.CA/A/EPT/739/2015

103 (Unreported), Appeal No

104 (Unreported) Appeal No.CA/A/EPT/779A/2015

In Agbaje's<sup>105</sup> case, which incidently, was the first appeal where the issue of party primary was addressed, the court held to the effect that an Election Petition Tribunal could entertain matters bordering on party primaries. In *Abdulrahman Abubakar vs Atai Aidoko*,<sup>106</sup> the Court of Appeal Abuja Division, per Abiriyi, JCA, followed the above view when he stated that:

*"A political party seeking to nominate candidates for elections under the Electoral Act shall hold primaries for aspirants to all elective positions as provided for under Section 87 (1) of the Electoral Act. If a person is nominated by a political party for election into any elective office not through the conduct of primary election that certainly would be a breach of the law. It is not correct to suggest that such breach is the domestic affair of the political party and that it cannot be challenged at the Tribunal under Section 138 (1)(a) of the Electoral Act 2010 (as amended)."*

In the case of *Olakunle Okunola vs James Abiodun Faleke*,<sup>107</sup> the Court of Appeal, Lagos Division, held that a Petitioner can challenge the propriety or otherwise of the Respondent party's primaries under the ground of non-qualification. Justice Yargata Nimpar, JCA, while overruling the decision of the tribunal that the petitioner had no locus standi to question the respondent's nomination, stated:

*"The apex court has since settled the issue and the position has been reiterated by this court. The question of qualification can only be classified pre-election or post-election depending purely on the Coram and timing of instituting the action. The main character remains qualification and is fundamental to the return of a candidate for any elective seat. I also agree with the appellants that you don't need to be a candidate at the primaries of a political party before one can question the primaries that threw up a candidate who returned elected. The trial tribunal failed to spread its net wide enough in search of guidance in respect of this issue."*

However, other Divisions of the Court of Appeal had thought differently to the effect that those who are not members of a political party or participated, as candidates in the nomination process of that party could not challenge the outcome of the nomination. Put in another word, it is only a member of a political party who participated as a candidate in the party's primary or INEC that has the right to raise the issue of non-compliance with the relevant provisions of the Electoral Act. They have also held that the issue of sponsorship or nomination of candidates is an intra-party affair, which the Tribunal cannot dabble into.

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105     *Supra*  
106     *Supra*  
107     *Supra, page 18*

Giving interpretation to the provisions of Section 87 of the Electoral Act<sup>108</sup> on the issue of nomination of candidates, the Kaduna Division of the Court of Appeal in the case of *Senator Bashir Mohammed vs Rabiu Kankwaso*<sup>109</sup> per Olumuyiwa Abiru, JCA, held that:

*“Reading these provisions holistically and applying the purposive approach to interpretation of status, it is clear that the intention of the law makers in Section 87 of the Electoral Act 2010, as amended, is to ensure that political parties practice internal democracy and involve majority of the members of their party in choosing or nominating candidates to elective offices. . . . Section 87 (9) thereof clearly states that it an aspirant to an elective office within the political party that can complain if the provisions of the section are not followed and Section 87 (9) has ben interpreted by the Courts to mean that even members of the political party concerened who are not aspirants cannot complain; not to talk of non-members of the political party.”*

The above view was adopted by the Abuja Division of the Court of Appeal in the case of *Darius Ishaku vs Aisha Jummai Alhassan*<sup>110</sup> where the Court, per Aboki, JCA, emphatically stated thus:

*“The only person who can complain of improper or misconduct of primaries of a political party is INEC and the aspirant who participated in the primary election concerned, in this case it is those who participated in the Gubernatorial primary election in the PDP at which the Appellant emerged as a candidate of the 3rd Respondent (PDP) for the April, 11th, 2015 Governorship election in Taraba State.”*

### **c) The Position of the Supreme Court on Party Primaries**

The Supreme Court in the case of *Tarzor vs Ortom*<sup>111</sup> affirmed the decisions of the Court of Appeal in *Ishaku vs Aisha*<sup>112</sup> and *Bashir vs Kwankwaso*<sup>113</sup> where it held to the effect that primary elections are in-house matters of a political party. According to the Court, a non-member of the party has no right to raise the issue and no member of the party who was not an aspirant can raise the issue in any court. Ngwuta, JSC, stated that:

*“Primary elections are in-house matters of a political party. A non-member of the party has no locus to raise the issue and no member of the party who was not an aspirant can raise the issue. . . . The proper venue for such challenge is the*

108 2010 (as amended)

109 (Unreported), Appeal No.CA/K/EPT/NA/3/2015

110 (Unreported), Appeal No.CA/A/EPT/768/2015

111 (Unreported), SC.928/2015 page 9-10

112 *Supra*

113 *Supra*

*High Court of a State, the Federal High Court or the High Court of the Federal Capital Territory, Abuja, as the party filing the action may chose. As I said earlier, the appellant is a member of the PDP, not APC and even if he is a member of the APC, he would have no locus to challenge the nomination of the 1st Respondent as he is not one of the aspirants who participated in the primary election. ... In my view, appellant is a meddlesome interloper who, having assumed the role of a hired mourner, is crying more than the bereaved."*

He stated further at page 11 thus:

*"It is my humble view that the appellant, not being a member of the APC, and so could not have participated in the party's primary election, cannot challenge the nomination of the 1st Respondent either before the Election Petition Tribunal or the High Court of a State, Federal High Court or the High Court of the Federal Capital Territory"*

The Court, per Olabode Rhodes-Vivour, JSC, reinforced this position in *Aisha Jummai Alhassan vs Darius Ishaku*<sup>114</sup> where it further held that the proper venue to challenge the conduct of party primaries was the Federal, State or FCT High Courts and not in an election Tribunal. Ruling on the issue, His Lorship, succinctly stated:

*"... it so clear that party primaries are the domestic affairs of the political party which no outsider can complain about. Only aspirants at the primaries can complain about the conduct of party primaries. Furthermore, an election tribunal has no jurisdiction to comment or examine how party primaries were conducted. Jurisdiction for such an exercise resides with Federal High Court, High Court of a State, or FCT High Court and only at the instance of a dissatisfied aspirant at the primaries. Finally nomination and sponsorship of candidates by a political party are pre-election matters that should be heard before petition is heard in an Election Tribunal."*

The Supreme Court also clarified the controversy relating to the issue of qualification of a candidate for an election and his nomination for election through primary by his political party. In most of the petitions that were filed, the respondents raised preliminary objections on the locus standi of petitioners to election petition on the basis that Sections 85 and 87 of the Electoral Act, 2010 (as amended) was not complied with. These Sections regulate the nomination of candidates for election. Section 85 (4) of the Electoral Act provides that, "notice of any congress, conference or meeting for the purpose of nominating candidates shall be given at least 21 days before such congress, conference or meeting", while Section 87 of the Act makes general provisions for nomination of candidates by political parties which is to be

114 (Unreported), SC.46/2016 page 38

either direct or indirect primaries.

Some of the petitions grounded on the allegation of non-qualification of the declared winners on the basis that at the time of election they were not qualified to contest election as they were not sponsored by political parties in accordance with Section 140 (1) and (2) of the Electoral Act, 2010 (as amended). The Supreme Court has held that the issues of nomination of candidates for election, and those relating to qualification and disqualification of candidates seeking office of a governor are not the same. The position of the Court is that the only ground upon which a candidate's qualification to contest for election into the office of a governor can be challenged are as provided in Sections 177, 182 of the Constitution of the Federal Republic of Nigeria, 1999 and Section 31 (5) & (6) of the Electoral Act, 2010. This was the position of the apex court in the case of *Aisha Alhassan vs Ishaku Dairus*<sup>115</sup> where it held:

*"A person who participated in an election, and it is his desire to challenge the election of the winner on the ground that the winner was not qualified to contest the election can do so only under section 177 of the Constitution, if he failed to do so under section 31 (5) and (6) of the Electoral Act. ... My lords by virtue of the provisions of section 138 (1) (a) of the Electoral Act a tribunal's power to decide whether a person qualified to contest an election is retracted to establishing the requirements of section 177 and 182 of the Constitution against the adverse party. An electoral tribunal has no jurisdiction to inquire into primaries of a political party."*

The Apex Court per Justice Inyang Okoro, JSC, in *Mahmud Aliyu Shinkafi vs Abdulazeez Abubakar Yari*<sup>116</sup> drew the distinction between challenging a candidate's qualification and challenging his nomination where he stated thus:

*"The pith and substance of this issue is whether failure to comply with Sections 85 and 87 of the Electoral Act, 2010 (as amended) is a disqualifying factor for a person duly nominated and sponsored by his political party to contest election as Governor of a State. Although this court has made it clear in several decisions that there is a clear and unambiguous difference between nomination of a candidate for an election on the one hand and qualification of a candidate for election on the other hand, parties still approach the courts on the issue feigning ignorance of the correct position. I shall use this opportunity to drum it once again into the ears of litigants this well settled principle of law. Whereas Sections 85 and 87 of the Electoral Act, 2010 (as amended) provide for issues of nomination of candidates for election, sections 177 and 182 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) provided for*

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115      *Supra*, page 264 Para E

116      *Supra*, page 9-10

*issues relating to qualification and disqualification of candidates seeking office of a Governor of a State. The two sets of provisions, to my mind, are mutually exclusive. They do not regulate the same issue."*

The apex court further held in the same case on whether failure to comply with Sections 85 and 87 of the Electoral Act affects qualification of a person to contest an election in the following words:

*" A community reading of Sections 85 and 87 of the Electoral Act, 2010 (as amended) clearly show that they regulate the nomination of candidates for election through the internal mechanism of each political party. In other words, issue of nomination and sponsorship of candidates by political parties for election fall within the internal affairs of political parties and therefore not justiciable. See Onuoha v. Okafor (1983) 2 SCNLR 244; Lado v. CPC (2012) ALL FWLR (Pt. 607) 598 at 622; Nicholas Chukwuejekwu Ukachukwu v. Peoples Democratic Party and Ors (2014) LPELR – 22115(SC). A calm consideration of Section 85 of the Electoral Act, 2010 (as amended) would reveal that the purpose of the provision is for a political party to give sufficient notice of its conventions, congress, conferences or meetings to the 3rd Respondent i.e INEC to enable it, if it so wishes, to monitor and observe any such event of such a political party... it does not create a new criteria for qualification for qualification in addition to those already stated in Section 177 of the Constitution nor does it stipulate that a violation of same amounts to a disqualifying factor in addition to the disqualifying factors already stated in Section 182 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended)."<sup>117</sup>*

The Court opined that the grounds and/ or issues for the disqualification of a candidate for election as provided under the Constitution cannot be overridden, added to or supplanted by any other legislation. Justice Mary Peter-Odili, JSC, in her concurring judgement stated:

*"From the provisions of the Constitution, in particular reference to sections 177 and 182, it is clear that the matter of what qualifies to contest for election as Governor has been graphically provided for and exhaustively stipulated and so nothing outside those constitutional prescriptions, such as an inferior legislation to which the Electoral Act would be situated, come into the arena of qualification or non-qualification to so contest."*

In the case, the Supreme Court held conclusively that failure to comply with sections 85 and 87 of the Electoral Act does not disqualify a party or a candidate. Thus, failure of a party to give the statutory twenty-one (21) days notice of its congress to INEC will not result to disqualification

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117     Supra, page 340 @373-374 Paras F-B

of a candidate. According to the apex Court, the appropriate penalty for the non-compliance is provided in Section 86(4) of the Electoral Act, which is a fine of not less than N500, 000.00.

From the legion of Supreme Court authorities on the twin issues of party primaries and disqualification of candidates to contest election, it has now been finally put to rest that:

1. Party primaries or nomination of candidates are intra-party or domestic affairs of a political party.
2. Only aspirants at the primaries, but not outsiders, can complain about the conduct of the primaries.
3. Party primaries are pre-election matters over which an election Tribunal has no jurisdiction to determine.
4. The proper venue to question the non-or improper conduct of party primaries is the Federal High Court, High Court of a State or Federal Capital Territory.
5. Only the provisions of the Constitution on qualification or disqualification of candidates and Section 31 (5) and (6) of the Electoral Act qualify as grounds to challenge a candidate's qualification to contest an election.

It is, however, curious to note that the lower courts relied heavily on the Supreme Court's earlier decisions in *Dangana vs Usman*<sup>118</sup> and *Wambai vs Donatus*<sup>119</sup> where it held to the effect that party primaries was both a pre-election and election matter, which both the High Courts and the relevant Election Tribunals have jurisdiction to hear; to arrive at their respective judgments on the issue of party primaries.

### **III. THE POSITION OF THE COURTS ON FAILURE TO FILE DEPOSITION OF SUBPOENA WITNESSES WITH PLEADINGS**

This issue came up on a number of the cases considered by the Election Petition Tribunals and the Court of Appeal. There were two opposing views on the issue. Some judges maintained that Statements on Oath of subpoena witnesses not frontloaded and filed within the required time for filing pleadings would be inadmissible in evidence. Others held that such statements were admissible. These contrasting views played out for example in the case of *Hon. Tobias Okwuru vs Hon. Lazarus Ogbee*<sup>120</sup> and *PDP vs. Engr. Mohammed Rabiu Kwankwaso*<sup>121</sup> respectively.

In Tobia's case,<sup>122</sup> the Court of Appeal, Enugu Division, ruled that depositions of subpoena witnesses that are not frontloaded within the stipulated timeframe of filing pleadings are inadmissible in evidence. However, in PDP's case<sup>123</sup>, the same Court of Appeal, Kaduna

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118 *Supra*

119 *Supra*

120 *EPT/REP/EB/01/2015*

121 *Appeal No. CA/K/EPT/NA/4/2005*

122 *Supra*

123 *Supra*

Division, ruled that depositions of subpoena witnesses not frontloaded within the stipulated timeframe of filing pleadings are admissible. The court based this ruling on the provisions of Paragraph 41 Rule 8 of the Rules of Procedure in the Election Tribunals, which empowers Tribunals to receive in such evidence where exceptional circumstances are shown.

The two different Divisions of the Court of Appeal, Enugu and Kaduna, relied on the contrasting decisions of the Supreme Court gave in the cases of *Abubakar vs Yar'adua*<sup>124</sup> and *Oke vs Mimiko*.<sup>125</sup> While the Enugu Division followed the judgment in *Oke's* case<sup>126</sup>, the Kaduna Division relied on the decision of the Supreme Court in *Abubakar's* case<sup>127</sup>.

In *Oke vs Mimiko*<sup>128</sup>, the Supreme Court held to the effect that after the expiration of the 21 days period provided in Section 285(5) of the 1999 Constitution for the presentation of a petition, any document which was not filed along with the petition or listed as one to be relied upon by the Petitioner is not admissible in evidence. Any report, deposition or statement of oath filed outside the period is constitutionally inadmissible and such evidence cannot be relied upon. Thus, Forensic reports, witnesses' dispositions or police statements given by subpoena witnesses during trial and hearing would be inadmissible and rejected unless such evidence was pleaded or listed in the original petition.

However, the apex Court in *Abubakar vs Yar'adua*<sup>129</sup> per Niki Tobi, JSC, of blessed memory, ruled that where exceptional circumstances are established, the depositions of subpoena witnesses not frontloaded within the time limit for filing petitions would be admissible in evidence. His Lordship in that case premised his decision on the principle that substantial justice should govern Election Petition Tribunals in the interpretation of their rules.

Most Tribunals in the cases examined relied greatly on the decision in *Oke's* case in rejecting the deposition of subpoena or expert witnesses not filed along with pleadings within the 21 days allowed period probably because it was later in time to *Abubakar's* case. In most of the matters, the expert witnesses who were called upon by petitioners to testify or provide evidence on election materials relied upon by the petitioners to prove their case were INEC officials. Most times, petitioners expressed their frustration over their inability to inspect election materials and also having INEC officials to speak to such materials or documents in open court. Many analysts took the view that the courts, in exceptional circumstances, ought to have relaxed its rules to aid the actualization of justice in electoral matters rather than throttle or chock it since they are not a sine qua non in the just determination of a case or immutable.<sup>130</sup>

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124 (2008) 4 NWLR (Pt. 1078) 465

125 (No. 1) (2014) 1 NWLR (Pt. 385) 225

126 *Supra*

127 *Supra*

128 *Supra*

129 *Supra*

130 See *Duke vs Akpojibo Local Government* (2005) 19 NWLR (Pt. 959) 130 at 142

Nevertheless, since the issue was not raised in any of the governorship appeals to the Supreme Court in 2015, it remains to be determined with certainty, which of the earlier decisions would take precedent. In the main time, the lower courts were expected to continue to decide on the issue based on any of the views of the apex Court that best appeal to them.

## B. POOR HANDLING OF CASES BY LAWYERS

Since electoral matters are regulated by special rules, it begs the need for special attention to be paid to the rules and regulations governing such matters to avoid any divergence or unnecessary delays and cost to the parties. Consequently, any error associated with it, no matter how slight is always fatal to the petition.<sup>131</sup>

As earlier indicated, 474 (84.6%) of the 560 petitions considered in this document, were not successful for various reasons. Some of the reasons adduced by the courts were attributable to acts of negligence of the lawyers who prosecuted the cases on behalf of the petitioners. The reasons were numerous; failure to sign or affix the Nigerian Bar Association (NBA) stamp on court processes,<sup>132</sup> filing of petition and Pre-hearing Notices out of time,<sup>133</sup> failure to attend court during hearing,<sup>134</sup> incompetent grounds of petitions<sup>135</sup> and Appeals,<sup>136</sup> inelegant draft of petitions,<sup>137</sup> incompetent Record<sup>138</sup> and Notice<sup>139</sup> of Appeals and the failure to properly endorse court processes with address for service.<sup>140</sup> Other reasons included the failure to state scores of the candidates in the election,<sup>141</sup> inability to call proper witnesses with direct evidence,<sup>142</sup> failure to tender documents through their makers,<sup>143</sup> wrong citation of Petitioner's

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131 *Kazeem vs Kola* (2012), 1 NWLR (Pt. 1282) at 543

132 *See Waziri Mamman vs Emmanuel Bwacha* (unreported) Appeal No. CA/YL/EPT/SEN/45/2015 - *Barrieneee Deeyah vs Legborsi Nwidadah* (unreported) Appeal No. CA/A/EPT/718/2015 - *Balogun vs Akpatason* (unreported) Appeal No. CA/B/EPT/168/2015

133 *See Senator Bello Sarakin Yaki vs Atiku Bagudu* (unreported), SC.722/2015; *Pius Emiko vs James Manager* (unreported)

134 *See Okonkwo vs Utazi* (unreported) - *Ibrahim Obanikoro vs Gbolahan Yishawu* (unreported) - *Belema Okpokiri vs Dabo Adams* (unreported).

135 *See Gambo Maikudi vs Abdulsalam Gambo* (unreported) - *Felix Idiga vs Hope Uzodinma* (unreported) - *M.B Mustapha vs Sani Danladi* (unreported) - *Ishaya Bauka vs Emmanuel Bwacha* (unreported) *supra* - *Kokoette Abia vs Friday Etim* (unreported)

136 *See Ahamdi Nweke vs Theodore Orji* (unreported)-

137 *See the cases of Agbaje v INEC & 3 Ors* (unreported) Petition No.GOV/EPT/L/1/15; *Umaru Duhu vs Adamu Kamal* (unreported) - *Ifeanyi Ugwoke vs Dennis Agbo* (unreported)

138 *See Abioye Adegboyega vs Odebunmi Dokun* (unreported) - *John Egbeji vs Peter Odey* (unreported) - *Badiru Deji Bolaji Badmus* (unreported)

139 *See Ogunranti Funsho vs Wahab Abiodun* (unreported)

140 *See Emeka Ihedioha vs Rochas Okorochoa* (unreported) SC. 660/2015

141 *See Adiele vs Abonta* (unreported) Petition No. - *Okechukwu Nwaogu vs Chisom Dike* (unreported) - *Stan Dara v Jerry Alagbaso* (unreported)

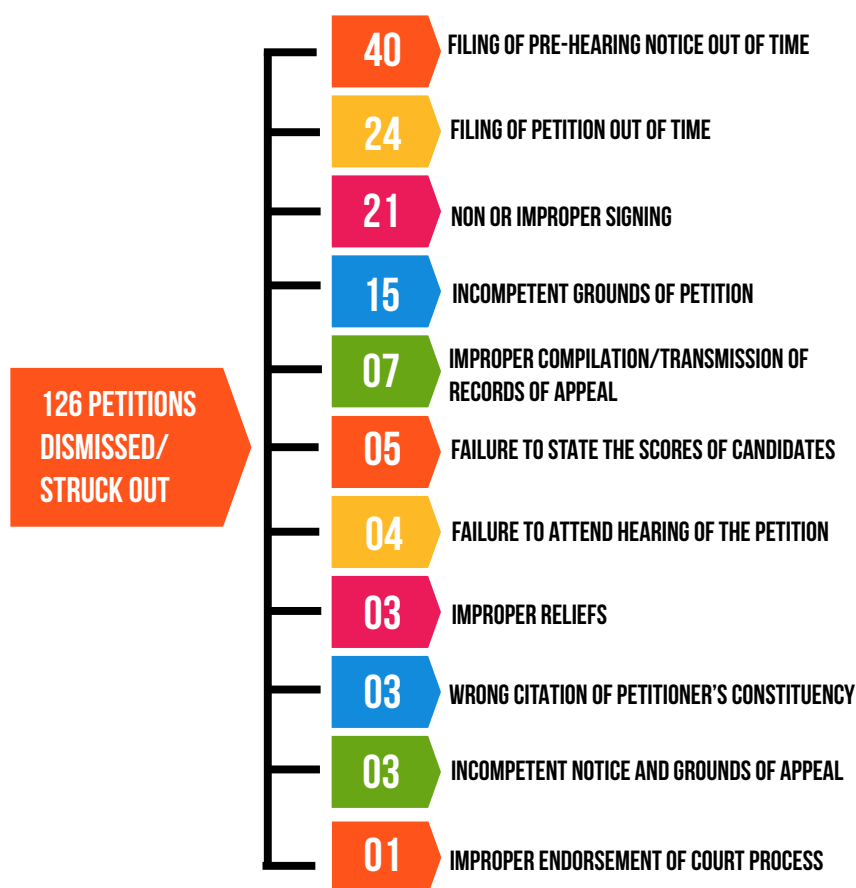
142 *See Ejike Orji vs Nkeiruka Onyejiocha* (unreported)

143 *See Chukwu Ojukwu vs Chris Azubogu* (unreported)

Constituency,<sup>144</sup> improper reliefs,<sup>145</sup> and failure to join proper parties in the election.<sup>146</sup>

A review of the petitions document showed that no less than 126 (21.8%) of the petitions filed were dismissed and or struck out by the Courts based on the reasons stated above, among others.

Figure 06. Analysis of the Reasons by the Courts for petitions Dismissed due to the negligence of lawyers



The above figure shows that failure to file Pre-hearing Notices within the time allowed recorded the highest (40) incidents of cases that failed due to the negligence of lawyers. This is followed by failure to file petition within time (24), non-or improper signing (21), incompetent grounds & inelegant draft of petition (15), improperly compiled and Transmitted Records of Appeal (7), failure to state the scores of candidates (5), failure to attend hearing (4), improper reliefs (3), wrong citation of petitioner's Constituency (3), incompetent Notice of Appeal (2), incompetent grounds of Appeal (1) and improper endorsement of court process for service (1).

144 See the case of *Edwin Sunday Joseph v Michael Ekon Enyong* (unreported) Petition No. EPT/AK/NA/HR/4/15; *Ime Bassey vs Henry Archibong* (unreported)

145 See *Aminu Abbas vs Mohammed Hayatu* (unreported) – *Migbole Samuel vs Idris Ndakwo* (unreported)

146 See *Ozodi Ndubueze vs Chude Onyererei* (unreported)

The Court of Appeal in the case of *Igwilo Nwankwo vs Benson Nwawulu*,<sup>147</sup> expressed displeasure on the improper signing of the Appellant's Brief by the legal practitioner. The Court per Bolaji-Yusuff, JCA, stated:

*"In the instant case, the name of the person who signed the appellant's brief was not stated. Secondly, the unknown person signed "for B.S Nwankwo, SAN." The practice of signing a court process for a legal practitioner is a disturbing trend. It has no basis or support in law. It is not acceptable. The law is very clear. A court process prepared by a legal practitioner must be signed by that legal practitioner. ... The practice of signing a court process 'for' a legal practitioner is unacceptable, whether the identity of the person who signed 'for' is disclosed or not. ... In my humble view, the recurrence of the issue is a clear indication of lack of seriousness, commitment and diligence on the part of some legal practitioners. ... A legal practitioner who has no time or cannot ensure that a court process prepared by him is properly signed in accordance with the law has no right to accept a brief which entails preparation and filing of a court process, the legal practitioner has a duty to ensure that the court process is not only prepared, he has a duty to ensure that the document is properly signed as required by law. No excuse whatsoever."*

The Court of Appeal also struck out the case of *Luqman Oyebisi Ilaka vs Rt. Hon. Monsurat Sunmonu*<sup>148</sup> due to the failure of the legal practitioner to affix the stamp and seal of the Nigerian Bar Association (NBA) on the Notice of Appeal and the Appellants brief in compliance with Rule 10 (1) of the Rules of Professional Conduct, 2007. The Court, while making reference to the Supreme Court's decision on similar issue in *General Bello Sarkin Yaki vs Senator Abubakar Bagudu Atiku & Others*<sup>149</sup> held thus:

*"It is evident from the decision of the Supreme Court that even though the documents filed without due compliance with the provisions of Rule 10 (1) of the Rules of Professional Conduct 2007 are not incompetent, they are held to be irregular, and until they are regularized the Court cannot take cognizance of them. In the instant appeal, Appellant took no steps to regularize the irregular process. It is also settled that the Rule cannot be treated with disdain and or contempt by learned Counsel, the rule (sic) must be obeyed, where it is found that there is failure to comply with the Rules as in the instant case, a diligent and proactive Counsel will swing into action towards regularizing the process. Where that is not done, this Court cannot act on the process, and the consequence is*

147 (Unreported), CA/E/EPT/21/2015

148 (Unreported), CA/1B/EPT/SEN/09/2015

149 (Unreported), LER (2015) SC/722/15

*that there is no document filed properly in line with the provisions of Rule 10 (10) of the Rules of Professional Conduct. ... and since the processes under attack have not been regularized by the Court (sic), it will be safe to conclude that Appellants appeal is certified dead on arrival since no step was taken to resuscitate the process."*

The Supreme Court dismissed the case of *Emeka Ihedioha vs Rochas Okorocho*<sup>150</sup> on the grounds that the Appellant's (Emeka Ihedioha) Counsel failed to serve parties with the court processes.

The Nigerian criminal and civil legal system provides for the right of representation to litigants in any court of law either by themselves or through any qualified legal practitioner of their choice acting on their behalf. Under the Rules of Professional Conduct, 2007, a lawyer is obligated to accept any brief subject to the payment of agreed fees. The Rule also places a duty on a lawyer to devote his attention; energy and expertise to the service of his client<sup>151</sup> including appearing in court on behalf of his client until conclusion of the case without prejudice to his right of withdrawal.<sup>152</sup> As officers of the court, lawyers have the ultimate task of ensuring the effective administration of justice and the legal process.

As it where, there are currently no specific statutory provisions under Nigerian laws that apportion any type of damage for the breach of any of the duties of legal practitioners provided under the Rules of Professional Conduct. The Legal Practitioners, Act<sup>153</sup> provides for liability in damages for negligence against legal practitioners but created an exception which exempts a lawyer from liability for negligence committed when conducting a case in court<sup>154</sup>. The Act only empowered the Legal Practitioners Disciplinary Committee, which is an organ of the Body of Benchers, to initiate disciplinary measures as remedy for breach that amounts to misconduct. Guilt may lead,, among other penalties, to striking out the lawyer' name off the roll or suspending the practitioner from practice for such period as may be specified by the Committee.<sup>155</sup>

### **C. ADHERENCE TO TECHNICALITIES**

The right of fair hearing is guaranteed by the Constitution<sup>156</sup> and forms the bedrock of our judicial system. The doctrine of substantial justice would not be served especially in election matters where the stakes are high, if the parties' rights to be heard are breached under any guise. It is now an acceptable fact that election matters are special and call for actual and bona

150 (Unreported), SC 660/2015

151 See Rule 24, Rules of Professional Conduct *op cit*.

152 Rule 21 (1) (2) & (3) *ibid*

153 CAP 207 LFN, 2004

154 Section 9 (3) *ibid*

155 Section 11 (1) (c), Legal Practitioners Act *op cit*

156 Section 36(1), *op cit*

vide justice, where substantial justice overrides technicalities.<sup>157</sup> This finds statutory support in Paragraph 53(1) of the 1st Schedule to the Electoral Act.

Paragraph 53(1) provides that:

*“Non-compliance with any of the provisions of this Schedule, or with a rule of practice for the time being operative, except otherwise stated or implied, shall not render any proceeding void, unless the Tribunal or Court so directs, but the proceeding may be set aside wholly or in part as irregular, or amended, or otherwise dealt in such manner and on such terms as the Tribunal or Court may deem fit and just.”*

The above provision of the Electoral Act was given judicial blessing in the case of *Omidiran vs Etteh*<sup>158</sup> where it was held thus:

*“In election petition proceedings, it is in the interest of justice that parties are given the opportunity to ventilate their grievances without undue regard to technicalities”.*

Most of the Tribunals made conscious effort to avoid striking out cases on technical issues. In their opinion, election petitions attract more public attention than other forms of litigation and hence, the need to avoid cosmetic or highly technical issues aimed at defeating the hearing of the cases on their merits. Despite the efforts, many of the election cases were terminated and not heard on merit based on the reliance on technicalities. For example, in *Nathaniel Agunbiade vs Busayo Oke*,<sup>159</sup> the petition was struck out by the Osun State National and State Houses of Assembly Election Tribunal for given a defective title (“IN THE PRESIDENTIAL AND ASSEMBLY ELECTION TRIBUNAL”) to the Tribunal.

Other cases affected by technicalities issues include the case of *Gbenga Edema vs Coker Malachi*,<sup>160</sup> *Ogunyemi Ojo vs Olotu Fatai*,<sup>161</sup> *Akingboye David vs Prince Abayomi Akinruntan*<sup>162</sup> and *Smart Adeuyi vs Tuyi Akintimehin*.<sup>163</sup> These cases were respectively struck out without being heard by the Ondo State National and State Assembly Election Tribunal on the grounds that pre-hearing notices were filed out of time.

Analysts have argued that errors or mistakes may be made, but parties should not be unduly shut out. The trial Tribunals should have looked at the substance of the cases, rather than the

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157 See *Waziri vs Bwacha supra P.13*; *Okunlade vs Azeez* (2009) LPELR-4730 (CA)

158 (2011) 2 NWLR (Pt. 1232) 471 at 502

159 (Unreported), EPT/HR/03/01/2015

160 (Unreported) Petition No. EPT/AK/HA/7/2015

161 (Unreported) Petition No. EPT/AK/HA/13/2015

162 (Unreported) Petition No. EPT/AK/HA/6/2016

163 (Unreported) Petition No. EPT/AK/HA/14/2015

form in the interest of justice. This is more so as the mistakes, or omission complained about were that of the petitioners' lawyers.

## **D. STRICT INTERPRETATION OF THE TIME LIMITATION FOR ELECTION PETITION**

In electoral matters, the Tribunal is required to deliver its judgement in writing within 180 days from the date a petition was filed<sup>164</sup>. In a number of cases, the Supreme Court has held that the constitutional requirement of time within which the Tribunal shall deliver its judgment is cast in stone and not expendable. For instance, in *ANPP vs Goni*<sup>165</sup> the Supreme Court held thus:

*"The period of 180 days ... is not limited to trials but also to de novo trials that may be ordered by an appeal court. Once an Election Petition is not concluded within 180 days from the date the petition was filed by the petitioner, an election Tribunal no longer has jurisdiction to hear the petition and this applies to rehearing."*<sup>166</sup>

The Court also held:

*Courts do not have the vires to extend the time assigned by the Constitution. The time cannot be extended, or expanded or elongated, or in any way enlarged. The time fixed by the Constitution is like the rock of Gibraltar or Mount Zion which cannot be moved. If what is to be done is not done within the time limit so fixed, it lapses as the court is thereby robbed of the jurisdiction to continue to entertain the matter."*<sup>167</sup>

The Supreme Court also acknowledged the strictness of the time in dispensing with election matters. In the case of *Sen. John Akpanudoedele vs Godswill Obat Akpabio*<sup>168</sup> the Court per Rhodes-Vivour, JSC, opined thus:

*"A Petitioner who is unable to argue his petition to his satisfaction within 180 days as provided by Section 285(6) of the Constitution or finds the time too short should approach the National Assembly with an appropriate bill to amend Section 285(6) of the Constitution. If this Court extends the time provided in Section 285(6) for the hearing of election petitions it would amount to judicial legislation and that would be wrong. The National Assembly is to make laws*

164 Section 285(6), 1999 Constitution *op cit*

165 (2012) 7 NWLR (PT.1298) 147

166 *Supra* page 191

167 *ibid* page 182

168 (2012) LPELR 8728 SC

*and that includes amending existing laws and the Constitution. The role of the Judiciary is to interpret what the National Assembly has done.”*

Election Tribunals and the Court of Appeal readily applied the above reasoning in dismissing many of the cases reviewed in this document. The hardship occasioned by the application of the 180 days rule is demonstrated in the case of *Dr. Julius Okpotu vs Rose Oke*.<sup>169</sup> In that case, the Petitioner under the platform of the Labour Party had contested the election for Senate to represent Cross River State North Senatorial District held on the 28th day of March, 2015. He lost to the Respondent. He challenged the return of the Respondent as the winner of the said election through a petition filed before the Cross River State National and State Houses of Assembly Election Petition Tribunal. He sought to be declared winner. The petition proceeded to trial and had reached an address stage when on the date fixed for adoption of final written address, the 1st Respondent’s counsel raised an objection through a motion challenging the constitution of the Tribunal chaired by C.D Awubra. He argued that the Tribunal was unconstitutional, null and void and that it lacked the jurisdiction to hear the petition. The trial Tribunal granted the prayers of the Respondent and set aside its entire proceedings. Aggrieved, the Petitioner appealed to the Court of Appeal. He contended that the replacement of the chairman of the Tribunal was not a not cojent reason to nullify all proceedings before the replacement of the chairman. He argued that to do that was a miscarriage of justice and denial of his fair hearing. He further contended that to set aside the proceedings of the Tribunal after 162 days of valid proceedings was done to overreach the Appellant. The Petitioner (Appellant) urged the Court of Appeal to hear the appeal pursuant to Section 15 of the Court of Appeal Act. The Court per Abdu Aboki, JCA, held thus:

*“We agree that ordinarily, the Tribunal having set aside the entire proceedings, the proper action should have been to commence the hearing of the petition de novo. However due to the provisions of Section 285 (6) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) which stipulates that an election tribunal shall deliver its judgment within 180 days from the date of filling of the petition, an order of trial de novo would have served no useful purpose. The stipulated 180 days within which the tribunal ought to have heard the petition and deliver its judgment expired the next day after the delivery of the ruling”.*

The Court Further held:

*“ There is no doubt that the inability of the Court to start the hearing of the petition de novo has denied the Appellants the right to get their grievances heard and determined which is a denial of their right to fair hearing guaranteed by the Constitution. However, the constitutional provision must be adhered to*

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169 (Unreported), CA/C/NAEA/223/2015

*as it is trite that the constitution is supreme”.*

The Court thereafter, declined jurisdiction to hear the appeal on the excuse that the time set for the trial Court to hear and determine a case such as the election petition has elapsed. The Court said it could not exercise its powers under Section 15 of the Act, as the time set by the constitution cannot be extended under any guise.

In *Igwilo Nwankwo vs Benson Nwawulu*,<sup>170</sup> the Court of Appeal held that it was wrong for the trial Tribunal to strick out a petition signed by one of the petitioners as it “violates the principle of substantial justice, since the one who signed the petition would be denied the right to be heard”. The court in that case refused to grant the alternative relief of the appellant to send the petition to another panel of the Tribunal that would determine the petition on its merit on the ground that the petition has been caught up by effluxion of time.

For the same reasons, the Court of Appeal, after setting aside the decisions of the respective Tribunals, dismissed the appeals in *Hon. Muhibat Rufai-Adeyemi vs Victor Olusegun Akande*,<sup>171</sup> *Mega Progressives Peoples Party (M.P.P) vs INEC*,<sup>172</sup> *Dominic Edem vs Apostle Essien Aji*,<sup>173</sup> *Iyabo Ogunmefun vs Ibikunle Amosun*<sup>174</sup> and *PDP vs Benjamin Nwajumogu*.<sup>175</sup>

It is difficult to convince most persons that a party has had a fair hearing where his/her petition, which has been instituted within the time stipulated by the Electoral Act, cannot be concluded on the premise that the time available to the court for the petition to be heard will not be sufficient.<sup>176</sup>

## **E. THE BURDEN OF PROOF IN ELECTION PETITIONS**

As stated earlier, the courts have settled in numerous cases that there is the presumption that the elections, which have produced results, were conducted in substantial compliance with the provisions of the Electoral Act. As such, the person who alleges contrary is placed with the onus to prove otherwise. Put simply, the burden of proving that an election was not conducted in substantial compliance with the provisions of the Electoral Act rest squarely on the Petitioner.<sup>177</sup> This presumption is given statutory backing under section 68 of the Electoral Act,<sup>178</sup> which provides thus:

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170 *Supra*

171 *(Unreported), CA/L/EPT/HA/1102/2015*

172 *(Unreported), CA/1B/EPT/GOV/40/2015*

173 *(Unreported), CA/C/NAEA/222/2015*

174 *(Unreported), EPT/GOV/ABK/002/2015*

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176 *Unongo v. Aper Aku*

177 *See Belgore vs Ahmed (2013) All FWLR (Pt. 705)246*

178 *2010 (as amended)*

*“(I) The decision of the Returning Officer on any question arising from or relating to:*

- a. unmarked ballot paper;*
  - b. rejected ballot paper; and*
  - c. declaration of scores of candidates and the return of a candidate,*
- shall be final subject to review by a Tribunal or Court in an election petition proceedings under this Act.”*

The requirements on proof in election cases, particularly on allegations of crime such as rigging, electoral violence, falsification of result sheets, undue influence and other forms of electoral malpractices is herculean. This makes it impossible for many petitioners to succeed in their cases. The inability of petitioners to support their pleadings with credible oral or documentary evidence led to the death knells on many potent petitions. For example, it was common allegation in most of the election petitions, that results were unduly increased in favour of a candidate or decreased against another. The position of law regarding the type of evidence, which must be led in support of allegations in which figures or scores of candidates at election are being challenged, should come from the officers present where the votes were counted. If a petitioner fails to call such polling agents or officers to give evidence in proof of the allegation, his/her petition will be dismissed.

In *Nazif Bello Yusuf v Sallisu Haruna Mashi*<sup>179</sup> the Katsina State Election Tribunal held that it was important for a petitioner to call his polling agents as witnesses where he alleges that INEC unlawfully cancelled an election, which was free & fair. It said that failure of the petitioner to call his party agents that represented and served as his representative at various polling units to give evidence to that effect is fatal to the petition.

Similarly, Where the grounds for a petition is on non-compliance with the Electoral Act, a petitioner is required to establish his claim of non-compliance by calling witnesses, polling unit by polling unit, and Ward by Ward. The petitioner must establish that the non-compliance was substantial, and that it affected the result of the election.<sup>180</sup>

On allegations of over-voting or ballot stuffing, a petitioner must produce the voters' register, the ballot boxes containing the stuffed ballot papers and statement of results from the affected polling units complained about.<sup>181</sup>

On documentary evidence, the courts have held that any document tendered by a person who

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179 (Unreported) Petition No. KTN/EPT/SHA/01/2015

180 *PDP vs INEC* (2004) 17 NWLR (Pt. 1437) 525 at 569; *Ucha vs Elechi* (2012), 13 NWLR (Pt.1317) 330 at 359 paras E-H

181 See *Audu vs INEC* (No. 2), 2010 13 NWLR (Pt. 1212) 456

is not himself the maker of that document amounts to documentary hearsay and does not have any probate value in law.<sup>182</sup> This explains why the election tribunals have consistently held in many of the cases that the petitioner merely dumped the Exhibits on the tribunal without linking them to any part of his case. The Courts in such instances refuse to examine the exhibits on the excuse that it is not duty of the court to unbundle the pack of documents dumped by the petitioner<sup>183</sup>.

A party who alleges that an election did not take place is to produce and tender unmarked voters' register, not the assembly of witnesses to say so.<sup>184</sup> To prove that a Respondent was not elected by majority of lawful votes cast, a party must plead and prove the votes cast at the various polling units, the votes illegally credited to the winner of the election, the votes which ought to have been credited to him or deducted from that of the supposed winner in order to see if it will affect the result of the election<sup>185</sup>.

It must be noted, however, that though election Tribunals and Courts have always insisted on these manners of proof in election petitions, there is no single provision of the Electoral Act that provides for such proof or a particular kind of witness in proof of any allegation. It follows, therefore, that the laws were made by judges, which with all respect, contradict the provisions of the Evidence Act.

## **F. INCIDENCES OF ELECTORAL VIOLATIONS BY POLITICIANS AND INEC**

### **I. INEC**

The Independent National Electoral Commission is a body established by law with the task of managing election administration in Nigeria.<sup>186</sup> Principally, the Commission is empowered to organize and conduct periodic elections into elective public offices including the 2015 general election, which was generally certified as credible. The successes recorded in the election were attributable to the technological innovation introduced into the electoral process such as the Permanent Voters' Card and the Card Reader Machines. These added integrity to the election process, especially accreditation.

However, despite the lofty achievements and gains recorded, there were a number of issues that arose from the post-2015 election cases that stood out as an indictment on the Commission.

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182 *Flaxed Fixed Odds vs Akatugba* (2010) 9 NWLR ((Pt.717) 46.

183 *Onjeh vs Mark* (unreported)

184 *Agbo vs Agbo* 2EPR

185 *SeeSam vs Okpokiri* (unreported) Petition No. EPT/RV/SA/43/15 P. 31 & 32

186 Section 153, 1999 Constitution *op cit*

### (i) Failure of INEC to defend the use of Card Readers

One of the issues of note from the cases reviewed is the refusal or failure of the Commission through its lawyers, to defend the use of the card readers for accreditation during the elections. The Commission argued curiously against interest that non-or improper use of card readers would not amount to requesting the Courts to expand the provisions of the Electoral Act. As it were, there was no single petition documented in this report where INEC canvassed in favour of the card reader. In some instances, its officials deliberately jettisoned the use of the card reader for accreditation during the elections. In *Robinson Uwak vs Nse Ekpeyong*,<sup>187</sup> the National and State Assembly Election Tribunal in Akwa Ibom State held that “there was deliberate manipulation of the card reader by officials of the 3rd Respondent which gave them the excuse to recourse to use of manual accreditation that is easily prone to fraud.” To this end, INEC, wittingly or unwittingly, added to the controversies generated regarding the use of card readers.

### (ii) Cancellation of Elections After Declaration of Results

The decision by INEC to cancel or declare some elections inconclusive after a declaration of return has been made was witnessed during the 2015 elections. An example of a case of note is *Nyananyo Tubo vs Watson Alfred Belemote*.<sup>188</sup> The Bayelsa State National and State Houses of Assembly Election Petition Tribunal held to the effect that once scores are declared by the Presiding officers at the unit level or collation level devoid of complaints, such results cannot be invalidated except by the Tribunal or court. In that case, INEC Returning Officer of Brass Constituency II, made a declaration of return of the Petitioner as the winner of the election conducted for the said Constituency on 6th June, 2015. Thereafter, INEC declared the election inconclusive on the excuse that the declaration and return of the Petitioner was made under duress by the coercion and threat to life of the returning officer. The court was of the firm view that a Returning Officer cannot revive the return of an election when it stated that:

*“We are of the firm view that it is only a Petitioner in an Election Petition that has the right to question the return of a candidate and not Independent National Electoral Commission who is the electoral body that returned the 1st Respondent... We hold that the 3rd Respondent cannot approbate and reprobate, hiding under any stretch of subsidiary rule or legislation to cancel election at will.”*

Similarly, the Supreme Court in the case of *Okezie Ikpeazu vs Alex Otti*<sup>189</sup> condemned the cancellation of election results in Osioma, Obingwa and Isiala Ngwa Local Government Areas of Abia State by the State Returning Officer after a declaration of return was made on the election. The Court held that it was unlawful for the State Returning Officer to have cancelled the results of the election at the State Collation Centre, having no such right to do so. The

187 (Unreported), EPT/AK/NA/HR/8/2015

188 (Unreported), EPT/BY/SH/018/2015 Page 49

189 (Unreported), SC.18/2016

court also held to the effect that since the State Returning Officer acted beyond his powers to cancel the results, the 1st Respondent (Alex Otti) could not have been returned by the Court of Appeal as the winner on the basis of such invalid cancellation.

### **(iii) MAKING DECLARATION OF RETURN WHEN COLLATION HAS NOT BEEN CONCLUDED**

On many occasions, INEC announced results and made declaration of return when collation has not been concluded. The Court of Appeal, Makurdi Division, in the case of *Daniel Onjeh vs David Mark*,<sup>190</sup> nullified the election of Senator Mark on the grounds that election result was declared by INEC while collation was ongoing in seven (7) of the nine (9) LGAs of the Benue South Senatorial District.

In *Tony Nwoye vs Peter Madubueze*,<sup>191</sup> the Anambra State National and State Houses of Assembly Election Petition Tribunal upturned the election of the Respondent on the basis that he was wrongly returned and declared the winner. One of the reasons adduced by the Tribunal was that the State Returning Officer announced the result of the election and declared the Respondent winner when collation was on-going in the disputed Nsugbe Ward I of Anambra East and West Federal Constituency. The Tribunal stated Thus:

*“There was no genuine reason for the Returning Officer not to have collated the results coming from Nsugbe Ward I. It is not for him to act on his whims and caprices. Having been told some results were being awaited, the best he could have done in the circumstances was to await the arrival of the results and if he had any genuine reason for rejecting them, he then could have done so and present a report to higher electoral authorities. The manner he, as alleged dismissed the plea to tarry a while for the arrival of more results which were not previously collated portray him to be a very hasty fellow at best or at worst someone who had a hidden agenda. His action if it can be reasoned out at all, was like that of a usurper of the power of the election tribunal to adjudicate on electoral disputes.”*

### **(iv) Failure to declare Elections Inconclusive**

In *Ekeleme Chima Ikeje vs Ugboala Theophilus*,<sup>192</sup> the Court of Appeal held to the effect that INEC acted in violation of the Electoral Act and the Manual for Election Officials, 2015 for failing to declare the election inconclusive given that the margin of win between the two leading candidates was lesser than the total number of disenfranchised registered voters in the 35 disputed polling units.<sup>193</sup>

190 (Unreported)

191 (Unreported), EPT/AWWK/HR/09/2015 Pages 23-24

192 (Unreported)

193 See also *Luke Niukara v Chijioko Okor* on the issue of failure by INEC to declare an election inconclusive where the margin of vote between the leading candidates was less than the number of the registered number of voters who could

## (v) Partisanship

There was also the integrity and neutrality question on the conduct of a number of staff of INEC, the supposed impartial umpire at the elections. In many of the appeals arising from the judgment of Election Petition Tribunals, the Court of Appeal and the Supreme Court raised this issue. They admonished INEC to always play the role of an impartial umpire.

Eko, JCA, in *INEC vs Umana Umana*<sup>194</sup> on the issue of impartiality warned thus:

*“As a final postscript, I observe that not even the indictment of INEC in Exhibit 12 to wit –*

*It has been observed closely that the general conduct of April 11th, Gubernatorial and State Assembly (Sic, elections) by INEC . . . . by all standard. It appears INEC (sic) to have had a close dealing with the sitting authority in the State has any impact or bearing on INEC in the conception and prosecution of this appeal. INEC, as an impartial electoral umpire, should in no circumstance be seen to be a partial and an interested party at all stages of the election, including the post election disputes inter partes of those who contested the election. Like Caesar’s wife, INEC at all times before, during and after the election, shall always appear to be over board. The independence and impartiality ascribed to them must never be seen to have been compromised in any manner whatsoever, including embarking and prosecuting litigations that would appear to be mercenary actions. I say no more and I leave it at”.*

The above observation was re-echoed by the Supreme Court in the case of *INEC vs Alex Otti*.<sup>195</sup> Suleiman Galadima, JSC, in his lead judgment, commented on the trend of INEC prosecuting election matters on behalf of litigants when he stated thus:

*“My Lords, permit me to make this comment in the light of what has been the recent trends of events in respect of the stance of the Independent National Electoral Commission (INEC). In an election petition they readily take over the case of a party who lost at the court below to prosecute the appeal. This appeal is one such example. Is “INEC” not expected to be neutral and discharge its statutory responsibility in all election matters? Does it want to cry itself hoarse more than the bereaved?”*

In *Benibo Anabraba vs Tonye Alalibo*,<sup>196</sup> INEC filed an appeal, which challenged the decision

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*not vote.*

194 *Supra*

195 (Unreported), SC.22/2016 pages 4-5

196 (Unreported) Appeal No. CA/A/EPT/689/2015

of the Rivers State National and State Houses of Assembly Tribunal nullifying the election of the Respondent for not being qualified to contest the election given that he was still in the employment of Chevron Nigeria Limited as at the time he contested the said election. In *Eric Apia vs Martyns Manah*,<sup>197</sup> the Commission also filed an appeal against the decision of the Tribunal, which nullified the election and return of the Respondent for failure by INEC to conduct accreditation through the aid of the card reader contrary to its directive.

In Ekeleme's case,<sup>198</sup> the Court of Appeal Owerri Division, queried the adoption of the Respondent's story by INEC as its own reply and explanation of its role in the election. The court held that such practice was wrong as it simply confirms the Appellant's allegation of their partisanship and lack of neutrality and independence in the conduct of the election.

In the case of *Imo Udi vs Usoro Akpanusoh*,<sup>199</sup> it was INEC that filed the preliminary objection that led to the striking out of the petition. It was difficult to understand the interest INEC sought to protect by the penchant of taking over the cases of parties who lost at the lower court to prosecute an appeal.

## II. POLITICIANS

In every democracy, politicians are determinant factors in the conduct of free, fair and credible elections. As stakeholders in the electoral process, it is their responsibility to encourage and promote democratic governance and citizens' participation at all levels. The democratic culture in Nigeria, especially in recent times, has been characterized by impunity and violence due to the 'win by all means' mantra and crave for votes by politicians who manipulate the process for their selfish ends. They also employ every means possible to seek to win their cases before the election tribunals and Courts.

It was Niki Tobi, JSC, in *Buhari vs INEC*,<sup>200</sup> who summed up the mentality of Nigerian politicians as it relates to politics thus:

*"... The way politics in this country is played frightens me every dawning day. It is a fight to finish affair. Nobody accepts defeat at the polls."*

The 2015 general elections as well as the cases arising therefrom were not immuned from these syndroms. In many cases, elections were cancelled or declared inconclusive by INEC following violence or massive irregularities orchestrated by politicians who in most cases acted in connivance with election officials to commit electoral offences. For the same reasons, the Courts have cancelled several elections in some parts of the country. The South East and South

197 (Unreported) Appeal No. CA/A/EPT/689/2015

198 *Supra*

199 (Unreported), EPT/AK/SHA/7/2015

200 (2009) 8 NWLR (Pt. 1120) 246

South geo-political zones, led in the regard.

The evidence from the materials examined for this report clearly shows that cases of crime and electoral offences were established against some candidates. One example is the case of *Nkechinyere Ugwu vs Ikechukwu Amuka*<sup>201</sup> where the Imo State Election Petition Tribunal stated that it was satisfied that the Petitioner proved the allegation of forgery and or presentation of forged educational certificate to INEC against the Respondent. The Tribunal held as follows:

*"... since Exhibit P17 does not belong to him but to the person whose photograph appears thereon and who also sat and passed the examination. The said document is clearly a forgery. When the 1st Respondent presented the same to the Independent National Electoral Commission in Exhibit P6 (A) – F, he presented a forged Certificate. It goes without saying that when the 1st Respondent deposed solemnly on oath that he was the holder of the said certification, he had thus committed a criminal offence. That offence is technically called perjury which is punishable under the laws of this country..."*

The Abia State National and State Houses of Assembly Election Petition Tribunal and the Court of Appeal in the case of *Dame Blessing Nwagba vs Emeka Nnamani*,<sup>202</sup> both found that the Respondent presented a forged educational Certificate to INEC as attached to his Form CF001 in breach of S.107 (1) of the 1999 Constitution. Also in the case of *Matoh Dary Dogara vs Mohammed Kabir*<sup>203</sup> the Kaduna State National and State Houses of Assembly Election Petition Tribunal agreed with the petitioner that the Respondent (Mohammed Kabir) presented a forged Certificate to INEC. The Court of Appeal, Kaduna Division, affirmed the decision.

In yet another case, *Benibo Anabraba vs Tonye Alalibo*,<sup>204</sup> the Rivers State Election Petition Tribunal, in a judgment, which was affirmed by the Court of Appeal, Abuja Division held that the Respondent (Tonye Alalibo) gave false information on Oath to INEC in his Form CF001 about the status of his employment as at the time he contested the election. The Tribunal condemned the act and held thus:

*"We wish to state that it is very unfortunate that an elected legislature could be involved in such shameless act of giving false information just to become an elected member or an Honourable member of the State House of Assembly. This very act is condemnable and should not be encouraged as it sends wrong signals to our future leaders. Enough is enough"*

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201 (Unreported) EPT/IM/SHA/1/2015 P. 95

202 (Unreported)

203 (Unreported) Petition No. EPT/SHA/06/2015

204 (Unreported), EPT/RV/SA/39/15 Page 28

Again, in *Hon. Ibison Nwuche vs Eddison Ehie*,<sup>205</sup> the Rivers State National and State Houses of Assembly Election Petition Tribunal, Panel III, condemned the behavior of the Petitioner whose witness was found to have lied on oath at his instance. On this issue, the Tribunal stated:

*"On 29/8/15, the PW8 testified before this Tribunal on oath and gave his name as Amanu Onyejuwa and stated that he had made witness deposition in respect of this petition. He identified the witness deposition on page 61 as his witness deposition and adopted it as his evidence and even tendered a letter of appointment as party unit agent for Unit 001 Ward 05. ... Under cross-examination by learned Senior Counsel to the 2nd Respondent, ... he denied that his name is Elemchukwu Uweh. He denied having a facebook account. He denied having an ID Card, Voter's Card, Driver's licence or International passport to show his identity. Learned Senior Counsel tried to show him his facebook account in a mobile phone but the learned Senior Counsel to the petitioners, B.E.I Nwofor, SAN, vehemently objected. ... On the 3rd of September, the Tribunal ruled that the witness be shown the Mobile Handset or facebook account. On getting to the witness box this time around and perhaps, realizing that he had been discovered, the witness now recanted, without being asked, and said actually his name is Elemchukwu Uweh and that he has a Voter's card and office ID card to show his identity. He further said that the statement of Amanu Onyejuwa which he adopted is not his statement. He confirmed that he actually voted on the 18/4/15. He also said that it was the 1st Petitioner that made him change his identity. ... We find it pertinent to single out this episode to show the extent to which some unscrupulous politicians can go. They can do everything and we mean everything to see that they succeed in a case. This appears also to be a reflection of what some politicians do during election, to win by all means. A situation where a petitioner could suborne witnesses to lie on oath before the Tribunal is very unfortunate and totally condemnable. It is the height of irresponsibility and shows the type of person the petitioner is and we condemn this behavior in the strongest terms."*

Party agents and INEC officials were also indicted for electoral offences. In the case of *Millicent Duru vs Nnnenna Nzeruo*,<sup>206</sup> the Imo State Election Petition Tribunal (National & State Houses of Assembly), found that the same set of four Party Agents (C.L. OKemili - APGA, Robert Okwuego - APC, Aguzuru Magnus - LP and Chidi Membis - UPP) signed all the seven Collation of Result Forms EC8B (1) for the four disputed Wards of Oru East State Constituency namely: Awo Omamma 1, Awo Omamma III, Amiri II and Akata Ward respectively. The Tribunal wondered how it is possible for these agents to be present at the Collation Centre of these Wards at the same time of collation of results. The Tribunal was miffed that INEC certified

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and made use of the results. The Tribunal observed that INEC, through its witness, "Dw11 had admitted that six out of its ten Ward Collation officers absconded with original collated results. Dw11 also testified that she converted four members of staff of her office to replace four out of the six absconded ones, and generated another result from four Wards which was added to the four available ones, she did not disclose where she got the results for the four "Ad-hoc Collation Officers" since the other six had made away with the original results.

Sadly, the Courts in each of these cases, and many others, did not give any order or make any recommendation for prosecution of those indicted in their judgments for these crimes contrary to the provisions of Section 149 of the Electoral Act. This failure could further encourage the culture of impunity witnessed during elections in Nigeria.

## **SUMMARY OF THE COURTS REASONS FOR DISMISSING OR STRIKING OUT SOME PETITIONS**

1. Failure to call Presiding Officers, Ward and State Collation officers who filled the polling unit results in the appropriate forms to testify;
2. Failure of the petitioners to call their polling agents who witnessed what transpired at the polling units and signed the results to give direct evidence of the conduct of the elections;
3. Failure to call registered voters who voted or could not vote at particular polling units to give eyewitness account of what they saw;
4. Failure to tender or refer to the Voters' Register or statement of results in allegations of over-voting or unlawful voting;
5. Failure of petitioners to plead or tender witnesses Voters' and party membership cards to establish claims of participation in the election;
6. Failure to tender the appropriate election results sheets (one genuine result & one fake result) in proving falsification of results as required by law;
7. Failure to tender the appropriate election Forms used during the election;
8. Failure to tender documents through their makers or lead oral evidence to explain documentary evidence tendered or to link the documentary evidence to their allegations;
9. Failure to tender ballot boxes used in the election where there is allegation of stuffing of ballot boxes;
10. Failure to properly plead, list or file along with the petition all the documentary evidence which the petitioner intends to use during the hearing of the petition;
11. Failure to frontload and file deposition of subpoena witnesses with the petition;
12. Failure to append illiterate jurat on witnesses' statements and thereby rendering them incompetent and inadmissible;
13. Failure of petitioners to lead direct evidence in prove of their cases
14. Failure to lead evidence in all disputed Polling Units where complaints has been made against the conduct of an election;

15. Failure to properly prep and guide witnesses and thereby having contradictory or unreliable testimonies;
16. Failure to properly couch the grounds of election petition;
17. Failure to properly state the particulars of the grounds of petitions leading to the striking out of the paragraphs of petitions containing such defects;
18. Failure to properly sign a petition;
19. Failure to properly certify public documents or tender a properly certified public document;
20. Failure to lay proper foundation before tendering secondary evidence of documents as required by the Evidence Act;
21. Failure to specify in the petition particulars of polling units, wards or local government areas where irregularities are alleged to have occurred;
22. Failure to provide necessary particulars on the allegations of commission of crimes or electoral offences;
23. Failure to state the scores of the respective candidates in the election;
24. Challenge to an election in a wrong constituency;
25. Failure to tender documents through their makers;
26. Failure to properly serve court processes on all interested parties;
27. Defective Notice and grounds of appeal;
28. Failure to file Petitions, Pre-hearing Notices, and petitioners written address; within statutorily allowed periods, and
29. Filing of appeal out of time.





***RECOMMENDATIONS***

# RECOMMENDATIONS

The problem of electoral irregularities which are common to our electoral system may be far from over, especially because of the win-by-all-means attitude of politicians. Election petitions, therefore, remains the only valid means by which aggrieved parties in an election can ventilate their grievances against perceived electoral violations through the Tribunals or Courts.

In order to drastically address the issues analysed in this research, a number of measures for improvements are required. The following recommendations are offered:

## LEGAL FRAMEWORK

1. The provisions of Sections 285 of the 1999 Constitution and 134 of the Electoral Act, 2010 should be amended to give exceptions to the 180 days time rule to avoid technicalities which deprive litigants of their right to fair hearing. This is to enable courts accommodate some exceptional situations such as would allow the days to stop counting where there is a stay of proceedings arising from interlocutory applications or start afresh where there is rehearing.
2. Amendment of Section 138 of the Electoral Act to expand the number of grounds whereby other candidates, political parties or aggrieved group of voters can question the outcome of an election.
3. Amendment of Section 49 of the extant Electoral Act that provides for manual accreditation to accommodate and bring the Smart Card Reader within the ambit of the substantive Act.
4. Amendment of the Electoral Act to bring about greater independence and better funding of the Electoral Body; non-interference by security forces in elections; the adherence of political parties to safe and fair rules of conduct and the regulation of the conduct of political parties.
5. Amendment of the Electoral Act to incorporate clear statutory modes of proving the grounds of election petitions.
6. Amendment of the Electoral Act to make it mandatory for INEC to provide electoral materials required to prosecute an election petition within a specified period of time.
7. Enactment of a legislation that would specifically provide for damages that could be awarded to clients and third parties that suffer from any negligent conduct of legal practitioners arising from the discharge of their professional duties.

## THE JUDICIARY

1. The need to reduce the incidences of conflicting court decisions cannot be overemphasized. Therefore, it is important to create a special online repository database for all court judgments arising from election petitions, which would be accessible to judges, legal practitioners and the public. This would enable the public know the current position of the law on election related matters as well as curb the incidences of conflicting judgements by courts of coordinate jurisdictions.
2. The judicial attitude towards interpretation of the Electoral Act and the Constitution should be to do substantial justice rather than technical justice. The primary aim of adjudication in election petitions should be to ensure that the choice of the electorates is given legal backing. While it is essential that this should be done as quickly as possible, the aggrieved parties should not be shut out on the expediency of quick dispensation of justice. Election petition tribunals should not be "boxed" into a tight corner, where it has to sacrifice justice on the altar of haste.
3. Issue a Practice Direction for Election Petition Tribunals and Courts to direct prosecutorial actions against persons or institutions indicted in the course of proceedings for electoral violations.
4. The Courts must take into consideration the cost implications of their orders before deciding election petitions. This becomes necessary since court-ordered rerun elections often cost the election management body, INEC, whooping sums in excess of what is usually spent on main elections.
5. The procedural rules of the Election Tribunals relating to irregularities, technicalities, onus of proof, dumping of documents and punishment for electoral offences should be made.
6. There is need to amend the laws to provide for specific timelines within which to file election petition appeals after the delivery of judgment by election Tribunals and courts.
7. There is the need to put in place concrete measures that guarantee the independence of the judiciary and to ensure that the Election Tribunals and Appellate Courts are not intimidated, influenced or compromised by politicians so that their judgments are delivered without fear or favour, ill will or rancor.

## LEGAL PRACTITIONERS

1. Legal practitioners engaged in election petition cases should adequately prepare in terms of logistics and personnel required to attend to the rigors imposed by the timelines applicable to election tribunals. They should acquaint themselves with the provisions of extant laws regulating the conduct of elections and electoral matters and exhibit seriousness and diligence as a matter of duty in prosecuting their cases.
2. It is important that lawyers engaged by the Respondents to defend them in election petitions and appeals avoid the filing of all sort of frivolous applications in order to

delay the determination of petitions or frustrate the petitioner from getting justice since election petitions are time bound.

3. The Nigerian Bar Association must, as a matter of necessity, wake up to its statutory responsibilities by ensuring that disciplinary actions are taken against lawyers who use their knowledge of the loopholes in the law and procedure to create confusion and undermine the fairness of the system, and to punish those, who due to the poor or negligent handling of cases make their clients suffer unnecessary losses.

## **INEC**

1. Maintain a high standard of neutrality, impartiality and efficiency by ensuring that the independence ascribed to the Commission is not compromised in any manner, including embarking on and prosecuting election litigations. The more perfect or even efficient INEC becomes, the less would be the need for politicians to have recourse to the courts for the settlement of election disputes.
2. Establish an internal administrative mechanism to effectively monitor, scrutinize and punish all staff reported or indicted for any electoral crime including prosecution in court.
3. Defend and ensure that the provisions contained in its Guidelines and Manuals made pursuant to the Electoral Act for the conduct of elections, are complied with strictly by the Commission and other electoral stakeholders.
4. Conduct periodic orientation and training for staff and electoral officials on the provisions of the Electoral Act especially with regards to the extent of their electoral duties and responsibilities.
5. Establish more thorough procedures for confirmation and collation of election results before declarations.
6. Compile a comprehensive list of those indicted for electoral violations and work with relevant agencies and ensure that culprits are duly prosecuted as a deterrent measure.

## **POLITICAL PARTIES/PETITIONERS**


1. Political parties and contestants must endeavor to retain the services of legal consultants well in advance of Election Day so as to enable the lawyer obtain the category of evidence necessary and put in place logistics and the database of electoral officers, party agents and voters that conducted or participated in the election.
2. Election petition cases are special areas of law, which cannot be handled by every legal practitioner, as they are not conventional matters that are dealt with on a daily basis in court. Therefore, litigants should necessarily engage expert lawyers who are vast in the area of electoral litigations to handle their cases in order to avoid undue negligence that could cost them their matter.
3. Political parties must ensure that prospective candidates are duly vetted to ensure that they meet qualification standards for contesting an election.

4. Ensure a level playing ground for all aspirants and create access for effective participation of citizens in the electoral process.
5. Eschew all forms of violence, impunity and such conducts that undermine the electoral process before, during and after elections.
6. Create mechanisms that identify and punish any member indicted for electoral offences.
7. Conduct its activities in line with the law and international best practices

Overall, every citizen has a role to play in ensuring that our budding democracy is not disparaged as a result of failure to diligently do our part in the disposal of electoral disputes. All well meaning Nigerians should begin to work towards the ideal situation in which only a few if any, electoral results declared by INEC would be litigated upon.

Most importantly, all democrats and stakeholders of the Nigerian electoral system including no less the Election Management Body, INEC, must begin to work towards reforms that allows minimal judicial intervention in the electoral process or determining the outcome of elections and more of a defence of the will of the people as the bedrock of democracy.



The graphic features a central light green oval with a white border, set against a white background. A dark green vertical bar runs through the center, with a white dotted line above and below the oval. The word 'APPENDIX' is centered in a bold, italicized, dark green font, flanked by two horizontal white dashed lines.

***APPENDIX***

# APPENDIX ONE

## FIRST SCHEDULE TO THE ELECTORAL ACT 2010 AS AMENDED

### RULES OF PROCEDURE FOR ELECTION PETITIONS

#### SECTIONS 140(4) AND 145(1)

1.	<p>In this Schedule-</p> <p>"Attorney-General" means the Attorney-General of the Federation and includes the Attorney-General of a State where the context admits;</p> <p>"Civil Procedure Rules" means the Civil Procedure Rules of the Federal High Court for the time being in force;</p> <p>"Election" means any election under this Act to which an election petition relates;</p> <p>"Registry" means a Registry set up for an Election Tribunal established by the Constitution or this Act or the Registry of the Court of Appeal;</p> <p>"Secretary" means the Secretary of an election Tribunal established by the Constitution or this Act and shall include the Registrar of the Court of Appeal or any officer or Clerk acting for him;</p> <p>"Tribunal" means an Election Tribunal established under this Act or the Court of Appeal;</p> <p>"Tribunal Notice Board" means a notice board at the Registry or a notice board at the place of hearing where notice of presentation of election petition or notice of hearing an election petition or any other notice may be given or posted.</p>	Interpretation
2.	<p>(1) At the time of presenting an election petition, the petitioner shall give security for all costs which may become payable by him to a witness summoned on his behalf or to a respondent.</p> <p>(2) The security shall be of such amount not less than N5, 000.00 as the Tribunal or Court may order and shall be given by depositing the amount with the Tribunal or Court.</p> <p>(3) Where two or three persons join in an election petition, a deposit as may be ordered under subparagraph (2) of this paragraph of this Schedule shall be sufficient.</p> <p>(4) If no security is given as required by this paragraph, there shall be no further proceedings on the election petition.</p>	Security for costs

3.	<p>(1) The presentation of an election petition under this Act shall be made by the petitioner (or petitioners if more than one) in person, or by his Solicitor, if any, named at the foot of the election petition to the Secretary, and the Secretary shall give a receipt.</p> <p>(2) The Petitioner shall, at the time of presenting the election petition, deliver to the Secretary a copy of the election petition for each respondent and ten other copies to be preserved by the Secretary.</p> <p>(3) The Secretary shall compare the copies of the election petition received in accordance with subparagraph (2) of this paragraph with the original petition and shall certify them as true copies of the election petition on being satisfied by the comparison that they are true copies of the election petition.</p> <p>(4) The petitioner or his Solicitor, as the case may be, shall, at the time of presenting the election petition, pay the fees for the service and the publication of the petition, and for certifying the copies and, in default of the payment, the election petition shall be deemed not to have been received; unless the Tribunal or Court otherwise orders.</p>	Presentation of election petition
4.	<p>(1) An election petition under this Act shall-</p> <p>(a) specify the parties interested in the election petition;</p> <p>(b) specify the right of the petitioner to present the election petition;</p> <p>(c) state the holding of the election, the scores of the candidates and the person returned as the winner of the election; and</p> <p>(d) state clearly the facts of the election petition and the ground or grounds on which the petition is based and the relief sought by the petitioner.</p> <p>(2) The election petition shall be divided into paragraphs each of which shall be confined to a distinct issue or major facts of the election petition, and every paragraph shall be numbered consecutively.</p> <p>(3) The election petition shall further-</p> <p>(a) conclude with a prayer or prayers, as for instance, that the petitioner or one of the petitioners be declared validly elected or returned, having polled the highest number of lawful votes cast at the election or that the election may be declared nullified, as the case may be; and</p> <p>(b) be signed by the petitioner or all petitioners or by the Solicitor, if any, named at the foot of the election petition.</p>	Contents of election petition

	<p>(4) At the foot of the election petition there shall also be stated an address of the petitioner for service at which address documents intended for the petitioner may be left and its occupier.</p> <p>(5) The election petition shall be accompanied by-</p> <p>(a) a list of the witnesses that the petitioner intends to call in proof of the petition;</p> <p>(b) written statements on oath of the witnesses; and</p> <p>(c) copies or list of every document to be relied on at the hearing of the petition.</p> <p>(6) A petition which fails to comply with sub-paragraph (5) of this paragraph shall not be accepted for filing by the secretary.</p> <p>(7) The election petition shall be accompanied by-</p> <p>(a) a list of the witnesses that the petitioner intends to call in proof of the petition;</p> <p>(b) written statements on oath of the witnesses; and</p> <p>(c) copies or list of every document to be relied on at the hearing of the petition.</p> <p>(8) A petition which fails to comply with subparagraph (7) of this paragraph shall not be accepted for filing by the Secretary.</p> <p>(9) An election petition, which does not comply with, subparagraph (1) of this paragraph or any provision of that subparagraph is defective and may be struck out by the Tribunal or Court.</p>	
5.	<p>Evidence need not to be stated in the election petition, but the Tribunal or Court may order such further particulars as may be necessary -</p> <p>(a) to prevent surprise and unnecessary expense;</p> <p>(b) to ensure fair and proper hearing in the same way as in a civil action in the Federal High Court; and</p> <p>(c) on such terms as to costs or otherwise as may be ordered by the Tribunal or Court.</p>	Further particulars.
6.	<p>For the purpose of service of an election petition on the respondents, the petitioner shall furnish the Secretary with the address of the respondents' abode or the addresses of places where personal service can be effected on the respondents.</p>	Address for Service

7.	<p>(1) On the presentation of an election petition and payment of the requisite fees, the Secretary shall forthwith -</p> <p>(a) cause notice of the presentation of the election petition, to be served on each of the respondents;</p> <p>(b) post on the tribunal notice board a certified copy of the election petition; and</p> <p>(c) set aside a certified copy for onward transmission to the person or persons required by law to adjudicate and determine the election petition.</p> <p>(2) In the notice of presentation of the election petition, the Secretary shall state a time, not being less than five days but not more than seven days after the date of service of the notice, within which each of the respondents shall enter an appearance in respect of the election petition.</p> <p>(3) In fixing the time within which the respondents are to enter appearance the Secretary shall have regard to-</p> <p>(a) the necessity for securing a speedy hearing of the election petition; and</p> <p>(b) the distance from the Registry or the place of hearing to the address furnished under paragraph 4 (4) of this Schedule.</p>	Action by Secretary
8.	<p>(1) Subject to subparagraph (2) and (3) of this paragraph, service on the respondents-</p> <p>(a) of the documents mentioned in subparagraph (1) (a) of paragraph 7 of this Schedule; and</p> <p>(b) of any other documents required to be served on them before entering appearance, shall be personal.</p> <p>(2) Where the petitioner has furnished, under paragraph 6 of this Schedule, the addresses of the places where personal service can be effected on the respondents and the respondents or any of them cannot be found at the place or places, the tribunal or court on being satisfied, on an application supported by an affidavit showing that all reasonable efforts have been made to effect personal service, may order that service of any document mentioned in subparagraph (1) of this paragraph be effected in any ways mentioned in the relevant provisions of the Civil Procedure Rules for effecting substituted service in Civil cases and that service shall be deemed to be equivalent to personal service.</p> <p>(3) The proceedings under the election petition shall not be vitiated notwithstanding the fact that-</p>	Personal service on respondent

	<p>(a) the respondents or any of them may not have been served personally; or</p> <p>(b) a document of which substituted service has been effected pursuant to an order made under subparagraph (2) of this paragraph did not reach the respondent, and in either case, the proceedings may be heard and continued or determined as if the respondents or any of them had been served personally with the document and shall be valid and effective for all purposes.</p>	
9.	<p>(1) Where the respondent intends to oppose the election petition, he shall- (a) within such time after being served or deemed to have been served with the election petition; or (b) where the Secretary has stated a time under paragraph 7(2) of this Schedule, within such time as is stated by the Secretary, enter an appearance by filing in the registry a memorandum of appearance stating that he intends to oppose the election petition and giving the name and address of the solicitor, if any, representing him or stating that he acts for himself, as the case may be, and in either case, giving an address for service at which documents intended for him may be left or served.</p> <p>(2) If an address for service and its occupiers are not stated, the memorandum of appearance shall be deemed not to have been filed, unless the tribunal or court otherwise orders.</p> <p>(3) The memorandum of appearance shall be signed by the respondent or his solicitor, if any.</p> <p>(4) At the time of filing the memorandum of appearance, the respondent or his solicitor, as the case may be, shall-</p> <p>(a) leave a copy of the memorandum of appearance for each of the other parties to the election petition and three other copies of the memorandum to be preserved by the Secretary; and</p> <p>(b) pay the fees for service as may be prescribed or directed by the Secretary and in default of the copies being left and the fees being paid at the time of filing the memorandum of appearance, the memorandum of appearance shall be deemed not to have been filed, unless the tribunal or court otherwise orders.</p> <p>(5) A respondent who has a preliminary objection against the hearing of the election petition on grounds of law may file a conditional memorandum of appearance.</p>	Entry of appearance
10.	<p>(1) If the respondent does not file a memorandum of appearance as required under paragraph 9 of this Schedule, a document intended for service on him may be posted on the Tribunal notice board and that shall be sufficient notice of service of the document on the respondent.</p>	Non-filing of Memorandum of Appearance.

	(2) The non-filing of a memorandum of appearance shall, not bar the respondent from defending the election petition if the respondent files his reply to the election petition in the Registry within a reasonable time, but, in any case, not later than twenty-one (21) days from the receipt of the election petition.	
11.	The Secretary shall cause copies of the memorandum of appearance to be served on, or its notice to be given to the other parties to the election petition.	Notice of Appearance
12.	<p>(1) The respondent shall, within 14 days of service of the petition on him file in the Registry his reply, specifying in it which of the facts alleged in the election petition he admits and which he denies, and setting out the facts on which he relies in opposition to the election petition.</p> <p>(2) Where the respondent in an election petition, complaining of an undue return and claiming the seat or office for a petitioner intends to prove that the claim is incorrect or false, the respondent in his reply shall set out the facts and figures clearly and distinctly disproving the claim of the petitioner.</p> <p>(3) The reply may be signed by the respondent or the solicitor representing him, if any and shall state the name and address of the solicitor at which subsequent processes shall be served; and shall be accompanied by copies of documentary evidence, list of witnesses and the written statements on oath.</p> <p>(4) At the time of filing the reply, the respondent or his Solicitor, if any, shall leave with the Secretary copies of the reply for services on the other parties to the election petition with ten (10) extra copies of the reply to be preserved by the Secretary, and pay the fees for service as may be prescribed or directed by the Secretary, and in default of leaving the required copies of the reply or paying the fees for service, the reply shall be deemed not to have been filed, unless the Tribunal or Court otherwise orders.</p>	Filing of reply
13.	The Secretary shall cause a copy of the reply to be served on each of the other parties to the election petition.	Service of reply
14.	(1) Subject to subparagraph (2) of this paragraph, the provisions of the Civil Procedure Rules relating to amendment of pleadings shall apply in relation to an election petition or a reply to the election petition as if for the words "any proceedings" in those provisions there were substituted the words "the election petition or reply".	Amendment of election petition and reply.

	<p>(2) After the expiration of the time limited by- (a) Section 134 (1) of this Act for presenting the election petition, no amendment shall be made- (i) introducing any of the requirements of subparagraph (1) of paragraph 4 of this Schedule not contained in the original Election petition filed, or (ii) effecting a substantial alteration of the ground for, or the prayer in, the election petition, or (iii) except anything which may be done under the provisions of subparagraph (2)(a)(ii) of this paragraph, effecting a substantial alteration of or addition to, the statement of facts relied on to support the ground for, or sustain the prayer in the election petition; and</p> <p>(b) paragraph 12 of the Schedule for filing the reply, no amendment shall be made- (z) alleging that the claim of the seat or office by the petitioner is incorrect or false; or (ii) except anything which may be done under the provisions of subparagraph (2)(a)(ii) of this paragraph, effecting any substantial alteration in or addition to the admissions or the denials contained in the original reply filed, or to the facts set out in the reply.</p>	
15.	<p>When a petitioner claims the seat alleging that he had the highest number of valid votes cast at the election, the party defending the election or return at the election shall set out clearly in his reply particulars of the votes, if any, which he objects to and the reasons for his objection against such votes, showing how he intends to prove at the hearing that the petitioner is not entitled to succeed.</p>	Particulars of votes rejected
16.	<p>(1) If a person in his reply to the election petition raises new issues of facts in defence of his case which the petition has not dealt with, the petitioner shall be entitled to file in the Registry, within five (5) days from the receipt of the respondent's reply, a petitioner's reply in answer to the new issues of fact, so however that-</p> <p>(a) the petitioner shall not at this stage be entitled to bring in new facts, grounds or prayers tending to amend or add to the contents of the petition filed by him; and</p> <p>(b) the petitioner's reply does not run counter to the provisions of subparagraph (1) of paragraph 14 of this Schedule.</p> <p>(2) the time limited by subparagraph (1) of this paragraph shall not be extended.</p> <p>(3) The petitioner in proving his case shall have 14 days to do so and the respondent shall have 14 days to reply.</p>	Petitioner's reply
17.	<p>(1) If a party in an election petition wishes to have further particulars or other directions of the Tribunal or Court, he may, at any time after entry of appearance, but not later than ten days after the filing of the reply, apply to the Tribunal or Court specifying in his notice of motion the direction for which he prays and the motion shall, unless the Tribunal or Court otherwise orders, be set down for hearing on the first available day.</p>	Further particulars or directive

	<p>(2) If a party does not apply as provided in subparagraph (1) of this paragraph, he shall be taken to require no further particulars or other directions and the party' shall be barred from so applying after the period laid down in subparagraph (1) of this paragraph has lapsed.</p> <p>(3) Supply of further particulars under this paragraph shall not entitle the party to go beyond the ambit of supplying such further particulars as have been demanded by the other party, and embark on undue amendment of, or additions to, his petition or reply, contrary to paragraph 14 of this Schedule.</p>	
18.	<p>(1) Within 7 days after the filing and service of the petitioner's reply on the respondent or 7 days after the filing and service of the respondent's reply, whichever is the case, the petitioner shall apply for the issuance of pre-hearing notice as in Form TF007.</p> <p>(2) Upon application by a petitioner under sub-paragraph (1) of this paragraph, the tribunal or court shall issue to the parties or their Legal Practitioners (if any) a pre-hearing conference notice as in Form TF007 accompanied by a pre-hearing information sheet as in Form TF008 for -</p> <p>(a) the disposal of all matters which can be dealt with on interlocutory application;</p> <p>(b) giving such directions as to the future course of the petition as appear best adapted to secure its just, expeditious and economical disposal in view of the urgency of election petitions;</p> <p>(c) giving directions on order of witnesses to be called and such documents to be tendered by each party to prove their cases having in view the need for the expeditious disposal of the petition; and</p> <p>(d) fixing clear dates for hearing of the petition.</p> <p>(3) The respondent may bring the application in accordance with subparagraph (1) where the petitioner fails to do so, or by motion which shall be served on the petitioner and returnable in 3 clear days, apply for an order to dismiss the petition.</p> <p>(4) Where the petitioner and the respondent fail to bring an application under this paragraph, the tribunal or court shall dismiss the petition as abandoned petition and no application for extension of time to take that step shall be filed or entertained.</p> <p>(5) Dismissal of a petition pursuant to subparagraphs (3) and (4) of this paragraph is final, and the tribunal or court shall be functus officio.</p> <p>(6) At the pre-hearing session, the tribunal or court shall enter a scheduling Order for-</p> <p>(a) joining other parties to the petition;</p> <p>(b) amending petition or reply or any other processes;</p> <p>(c) filing and adoption of written addresses on all interlocutory applications ;</p>	Pre-hearing session and scheduling

<p>(d) additional pre-hearing session;</p> <p>(e) order of witnesses and tendering of documents that will be necessary for the expeditious disposal of the petition; and</p> <p>(f) any other matters that will promote the quick disposal of the petition in the circumstances.</p> <p>(7) At the pre-hearing session, the tribunal or court shall consider and take appropriate action in respect of the following as may be necessary or desirable -</p> <p>(a) amendments and further and better particulars;</p> <p>(b) the admissions of facts, documents and other evidence by consent of the parties;</p> <p>(c) formulation and settlement of issues for trial;</p> <p>(d) hearing and determination of objections on point of law;</p> <p>(e) control and scheduling of discovery; inspection and production of documents,</p> <p>(f) narrowing the field of dispute between certain types of witnesses especially the Commission's staff and witnesses that officiated at the election, by their participation at pre-hearing session or in any other manner;</p> <p>(g) giving orders or directions for hearing of cross-petitions or any particular issue in the petition or for consolidation with other petitions;</p> <p>(h) determining the form and substance of the pre-hearing order; and</p> <p>(i) such other matters as may facilitate the just and speedy disposal of the petition bearing in mind the urgency of election petitions.</p> <p>(8) At the pre-hearing session, the tribunal or court shall ensure that hearing is not delayed by the number of witnesses and objections to documents to be tendered and shall pursuant to paragraph (b), (e), (b) and (e) of this paragraph-</p> <p>(a) allow parties to admit or exclude documents by consent;</p> <p>(b) direct parties to streamline the number of witnesses to those whose testimonies are relevant and indispensable.</p> <p>(9) The pre-hearing session or series of the pre-hearing sessions with respect to any petition shall be completed within 14 days of its commencement, and the parties and their legal practitioners shall co-operate with the tribunal or court in working within this time table. As far as practicable, pre-hearing sessions shall be held from day to day or adjourned only for purposes of compliance with pre-hearing sessions, unless extended by the Chairman or the Presiding Justice.</p> <p>(10) After a pre-hearing session or series of pre-hearing sessions the tribunal or court shall issue a report and this report shall guide the subsequent course of the proceedings, unless modified by the tribunal or court.</p>	
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	<p>(11) If a party or his Legal Practitioner fails to attend the pre-hearing sessions or obey a scheduling or pre-hearing order or is substantially unprepared to participate in the session or fails to participate in good faith, the tribunal or court shall in the case of -</p> <p>(a) the petitioner, dismiss the petition; and</p> <p>(b) a respondent enter judgment against him.</p> <p>(12) Any judgment given under subparagraph (11) of this paragraph, may be set aside upon an application made within 7 days of the judgment (which shall not be extended) with an order as to costs of a sum not less than N20,000.</p> <p>(13) The application shall be accompanied by an undertaking to participate effectively in the pre-hearing session jointly signed by the applicant and the Legal Practitioner representing him.</p>	
19.	Every election petition shall be heard and determined in an open tribunal or court.	Hearing of petition to be in open Tribunal or Court
20.	<p>(1) Subject to the provisions of subparagraph (2) of this paragraph, the time and place of the hearing of an election petition shall be fixed by the Tribunal or Court and notice of the time and place of the hearing, which may be as in Form TF005 set out in Second Schedule to this Act, shall be given by the Secretary at least five days before the day fixed for the hearing by-</p> <p>(a) posting the notice on the tribunal notice board; and</p> <p>(b) sending a copy of the notice by registered post or through a messenger to the -</p> <p>(i) petitioner's address for service;</p> <p>(ii) respondent's addresses for service, if any; or</p> <p>(iii) Resident Electoral Commissioner or the Commission as the case may be.</p> <p>(2) In fixing the place of hearing, the Tribunal or Court shall have due regard to the proximity to and accessibility from the place where the election was held.</p>	Time and place of hearing petition
21.	A tribunal or court, as the case may be, shall publish the notice of hearing by causing a copy of the notice to be displayed in the place which was appointed for the delivery of nomination papers prior to the election or in some conspicuous place or places within the constituency, but failure to do so or any miscarriage of the copy of notice of hearing shall not affect the proceedings if it does not occasion injustice against any of the parties to the election petition.	Notice of hearing

22.	The posting of the notice of hearing on the Tribunal notice board shall be deemed and taken to be good notice, and the notice shall not be vitiated by any miscarriage of the copy or copies of the notice sent pursuant to paragraph 16 of this Schedule.	Posting of notice on Tribunal notice board deemed to be good notice
23.	<p>(1) The Tribunal or Court may, from time to time, by order made on the application of a party to the election petition or at the instance of the Tribunal or Court, postpone the beginning of the hearing to such day as the Tribunal or Court may consider appropriate having regard at all times to the need for speedy conclusion of the hearing of the election petition.</p> <p>(2) A copy of the order shall be sent by the Secretary by registered post or messenger to the Electoral Officer or the Resident Electoral Commissioner or the Commission who shall publish the order in the manner provided in paragraph 20 of this Schedule for publishing the notice of hearing, but failure on the part of the Electoral Officer or Resident Electoral Commissioner or the Commission to publish the copy of the order of postponement shall not affect the proceedings in any manner whatsoever.</p> <p>(3) The Secretary shall post or cause to be posted on the tribunal notice board a copy of the order.</p> <p>(4) Where the tribunal or court gives an order of postponement at its own instance, a copy of the order shall be sent by the Secretary by registered post or messenger to the address for service given by the petitioner and to the address for service, if any, given by the respondents or any of them.</p> <p>(5) The provisions of paragraph 21 of this Schedule shall apply to an order or a notice of postponement as they do to the notice of hearing. Non arrival of Chairman of Tribunal or Presiding Justice of the Court</p>	Postponement of hearing

24.	If the Chairman of the Tribunal or Presiding Justice of the Court has not arrived at the appointed time for the hearing or at the time to which the hearing has been postponed, the hearing shall, by reason of that fact, stand adjourned to the following day and so from day to day.	Non-arrival of Chairman of Tribunal or Presiding Justice of the Court
25.	<p>(1) No formal adjournment of the Tribunal or Court for the hearing of an, election petition shall be necessary, but the hearing shall be deemed adjourned and may be continued from day to day until the hearing is concluded, unless the Tribunal or Court otherwise directs as the circumstances may dictate.</p> <p>(2) If the Chairman of the Tribunal or the Presiding Justice of the Court who begins the hearing of an election petition is disabled by illness or otherwise, the hearing may be recommended and concluded by another Chairman of the Tribunal or Presiding Justice of the Court appointed by the appropriate authority.</p>	Hearing continues from day to day
26.	<p>(1) After the hearing of an election petition has begun, if the inquiry cannot be continued on the ensuing day or, if that day is a Sunday or a Public Holiday, on the next day, the hearing shall not be adjourned sine die but to a definite day to be announced before the rising of the Tribunal or Court and notice of the day to which the hearing is adjourned shall forthwith be posted by the Secretary on the notice board.</p> <p>(2) The hearing may be continued on a Saturday or on a Public Holiday if circumstances dictate.</p>	Adjournment of hearing
27.	<p>(1) All interlocutory questions and matters may be heard and disposed of by the Chairman of the Tribunal or the Presiding Justice of the Court who shall have control over the proceedings as a Judge in the Federal High Court.</p> <p>(2) After the hearing of the election petition is concluded, if the tribunal or court before which it was heard has prepared its judgment but the Chairman or the Presiding Justice is unable to deliver it due to illness or any other cause, the judgment may be delivered by one of the members, and the judgment as delivered shall be the judgment of the Tribunal or Court and the member shall certify the decision of the Tribunal or Court to the Resident Electoral Commissioner, or to the Commission.</p>	Power of Chairman of the Tribunal or the Presiding Justice of the Court to dispose on interlocutory matters

28.	<p>(1) At the conclusion of the hearing, the Tribunal shall determine whether a person whose election or return is complained of or any other person, and what person, was validly returned or elected, or whether the election was void, and shall certify the determination to the Resident Electoral Commissioner or the Commission.</p> <p>(2) If the tribunal or court has determined that the election is invalid, then, subject to section 138 of this Act, where there is an appeal and the appeal fails, a new election shall be held by the Commission.</p> <p>(3) Where a new election is to be held under the provisions of this paragraph, the Commission shall appoint a date for the election which shall not be later than 3 months from the date of the determination.</p>	Effect of determination of election petition
29.	<p>(1) An election petition shall not be withdrawn without leave of the Tribunal or Court.</p> <p>(2) Where the petitioners are more than one no application for leave to withdraw the election petition shall be made except with the consent of all the petitioners.</p> <p>(3) The application for leave to withdraw an election shall be made by motion after notice of the application has been given to the respondents.</p> <p>(4) The notice of motion shall state the grounds on which the motion to withdraw is based, supported with affidavit verifying the facts and reasons for withdrawal, signed by the petitioner or petitioners in the presence of the Secretary.</p> <p>(5) At the time of filing the notice of motion the petitioner or petitioners shall leave copies for service on the respondent.</p> <p>(6) The petitioner or petitioners shall also file the affidavits required under subparagraph (4) of this paragraph together with copies for each respondent and pay the fees prescribed or directed by the Secretary for services.</p>	Withdrawal or abatement of petition
30.	<p>(1) Before the leave for withdrawal of an election petition is granted, each of the parties to the petition shall produce an affidavit, stating that-</p> <p>(a) to the best of the deponent's knowledge and belief no agreement or term of any kind whatsoever has been made; and</p> <p>(b) no undertaking has been entered into, in relation to the withdrawal of the petition, but if any lawful agreement has been made with respect to the withdrawal of the petition, the affidavit shall set forth that agreement and shall make the foregoing statement subject to what appears from the affidavit.</p>	Affidavits against illegal term of withdrawal

31.	<p>(1) The time for hearing the motion for leave to withdraw the election petition shall be fixed by the Tribunal or Court.</p> <p>(2) The Secretary may give notice of the day fixed for the hearing of the motion to the respondents and post or cause to be posted on the Tribunal notice board a copy of the notice.</p>	Time for hearing motion for leave to withdraw petition
32.	If the election petition is withdrawn, the petitioner shall be liable to pay appropriate costs to the respondents or any of them unless the Tribunal or Court otherwise orders.	Payment of costs to respondents
33.	<p>(1) If a sole petitioner or the survivor of several petitioners dies, then, subject to subparagraphs (2) and (3) of this paragraph, there shall be no further proceedings on the election petition and the Tribunal or Court may strike it out of its cause list.</p>	Abatement of proceedings in election petition
	<p>(2) The death of a petitioner shall not affect his liability for the payment of costs previously incurred in the course of proceedings in respect of the election petition prior to its abatement.</p> <p>(3) Where notice with copies for each party to the election petition supported by the affidavit of two witnesses testifying to the death of a sole petitioner or of the survivor of several petitioners, is given to the Secretary, he shall submit the notice to the tribunal or court and if the Tribunal or Court so directs, the Secretary shall-</p> <p>(a) serve notice thereof on the other parties to the petition;</p> <p>(b) post or cause to be posted a notice thereof on the Tribunal noticeboard; and</p> <p>(c) cause notice thereof to be published in conspicuous places in the constituency, in such form as the Tribunal or Court may direct.</p>	
34.	<p>(1) If before the hearing of an election petition, a respondent, other than the Electoral Officer, the Returning Officer or Presiding Officer, gives to the Tribunal or Court notice in writing signed by him or his Solicitor before the Secretary that he does not intend to oppose the election petition, the Secretary shall-</p> <p>(a) serve notice thereof on the other parties to the election petition; and</p> <p>(b) post or cause to be posted a notice thereof on the Tribunal notice board.</p> <p>(2) The respondent shall file the notice with a copy for each other party to the election petition not less than six days before the day appointed for hearing of the election petition.</p> <p>(3) A respondent who has given notice of his intention not to oppose the election petition shall not appear or act as a party against the election petition in any proceeding on it; but the giving of the notice shall not of itself cause him to cease to be a respondent.</p>	Notice of no opposition to petition

35.	<p>(1) Where a notice of the -</p> <p>(a) petitioner's intention to apply for leave to withdraw an election petition;</p> <p>(b) death of the sole petitioner or the Survivor of several petitioners; or</p> <p>(c) respondent's intention not to oppose an election petition, is received after notice of hearing of the election petition has been given, and before the hearing has begun, the Secretary shall forthwith countermand the notice of hearing.</p> <p>(2) The countermand shall be given in the same manner, and, as near as may be, as the notice of hearing.</p>	Countermand of notice of hearing
36.	<p>Where the respondent has not entered an appearance, or has not filed his reply 'Within the prescribed time or within such time as the tribunal or court may have allowed, or has given notice that he does not intend to oppose the petition, then if-</p> <p>(a) there remains no more than one other candidate in the election who was not returned;</p> <p>(b) the election petition contains no prayer for a determination that the election was void;</p> <p>(c) there are no facts or grounds stated in the election petition or in the reply, if any, or stated in any further particulars filed in the proceedings or otherwise appearing on proof of which it ought to be determined that election was void; or</p> <p>(d) the election petition is one complaining of undue return and claiming the seat or office for the candidate who was not returned and the respondent has not raised any formal or written objections to any of the votes relied on by the petitioner, the Tribunal or Court may, if it deems fit, determine the proceedings on the election petition without hearing evidence or further evidence, and in any case, the proceedings shall be continued and determined on such evidence or otherwise as the Tribunal or Court may deem necessary for the full and proper determination of the election petition.</p>	Discretion of tribunals or court if no reply

37.	<p>(1) The fee payable on the presentation of an election petition shall not be less than N 1, 000.00.</p> <p>(2) A hearing fee shall be payable for the hearing at the rate of N40 per day of the hearing but not exceeding N2000 in all, but the Tribunal or Court may direct a different fee to be charged for any day of the hearing.</p> <p>(3) For the purpose of subparagraph (2) of this paragraph, the petitioner shall make a deposit of not less than N 2000 at the time of presenting his petition.</p> <p>(4) Subject to the provisions of this paragraph, the fees payable in connection with an election petition shall be at the rate prescribed for civil proceedings in the Federal High Court.</p> <p>(5) No fees shall be payable by the Attorney General of the Federation (acting in person or through any other legal officer) or by a respondent who was the Commission or any of its officers appointed pursuant to the provisions of this Act.</p> <p>(6) No fees shall be payable for the summoning of witnesses by the Tribunal or Court at its own instance.</p>	Fees
38.	<p>(1) All costs, charges and expenses of and incidental to the presentation of an election petition and to the proceedings consequent thereon, with the exception of such as are otherwise provided for, shall be defrayed by the parties to the election petition in such manner and in such proportions as the Tribunal or Court may determine, regard being had to the -</p>	Allocation of costs
	<p>(a) disallowance of any costs, charges or expenses, which may in the opinion of the Tribunal or Court have been caused by vexatious conduct, unfounded allegation or unfounded objection on the part of the petitioner or of the respondent, as the case may be; and</p> <p>(b) discouragement of any needless expenses by throwing the burden of defraying the expenses on the party by whom it has been caused; whether that party is or is not on the whole successful.</p> <p>(2) Where the Tribunal or Court declares an election to be void, it may, if satisfied that the invalidity was due either wholly or in part to the culpable default of an officer responsible for the conduct of the election in the performance of his duties, order that the whole or part of the cost awarded to the successful petitioner be paid by that officer.</p>	

39.	Money deposited as security shall, when no longer needed as security for costs, charges or expenses, be returned to the person in whose name it was deposited or to the person entitled to receive it by order of the Tribunal or Court which may be made on motion after notice and proof that all just claims have been satisfied or otherwise sufficiently provided for as the Tribunal or Court may require.	Return of Security
40.	<p>(1) Subject to any statutory provision or any provision of these paragraphs relating to evidence, any fact required to be proved at the hearing of a petition shall be proved by written deposition and oral examination of witnesses in open court.</p> <p>(2) Documents which parties consented to at the pre-hearing session or other exhibits shall be tendered from the Bar or by the party where he is not represented by a legal practitioner.</p> <p>(3) There shall be no oral examination of a witness during his evidence- in-chief except to lead the witness to adopt his 'Written deposition and tender in evidence all disputed documents or other exhibits referred to in the deposition.</p> <p>(4) Real evidence shall be tendered at the hearing.</p> <p>(5) The Tribunal or Court may, at or before the hearing of a petition order or direct that evidence of any particular fact be given at the hearing in such manner as may be specified by the order or direction.</p> <p>(6) The power conferred by subparagraph (5) of this paragraph extends in particular to ordering or directing that evidence of any particular fact be given at the trial-</p> <p>(a) by statement on oath of information or belief;</p> <p>(b) by the production of documents or entries in books; or (c) in the case of a fact which is of common knowledge either generally or in a particular district by the production of a specified newspaper which contains a statement of that fact.</p>	Evidence at Hearing
	<p>(7) The Tribunal or Court may, at or before the hearing of a petition order or direct that the number of witnesses who may be called at the hearing be limited as specified by the order or direction.</p> <p>(8) Save with leave of the Tribunal or Court, after an applicant has shown exceptional circumstances, no document, plan, photograph or model shall be received in evidence at the hearing of a petition unless it has been listed or filed along with the petition in the case of the petitioner or filed along with the reply in the case of the respondent</p> <p>(9) Such leave may be granted with costs save where in the circumstance the tribunal or court considers otherwise.</p>	

41.	<p>(1) On the hearing of an election petition, the Tribunal or Court may summon a person as a witness who appears to the tribunal or court to have been concerned in the election.</p> <p>(2) The Tribunal or Court may examine a witness so summoned or any other person in the tribunal or court although the witness or person is not called and examined by a party to the election petition, and thereafter he may be cross-examined by or on behalf of the petitioner and the respondent.</p> <p>(3) The expenses of a witness called by the tribunal or court at its own instance shall, unless the Tribunal or Court otherwise orders, be deemed to be costs of the election petition and may, if the Tribunal or Court so directs, be paid in the first instance by the Secretary in the same way as State witness' expenses and recovered in such manner as the tribunal or court may direct.</p> <p>(4) Where the Tribunal or Court summons a person as a witness under this paragraph, the provisions of the Civil Procedure Rules relating to the expenses of persons ordered to attend a hearing shall apply as if they were part of this paragraph.</p> <p>(5) The Tribunal or Court shall-</p> <p>(a) in making and carrying into effect an order for the production and inspection of documents used in the election; and</p> <p>(b) in the examination of any witness who produces or VI produce a document, ensure that the way in which the vote of a particular person has been given shall not be disclosed.</p>	Calling of witnesses
42.	<p>(1) A person called as a witness in a proceeding in the Tribunal or Court shall not be excused from answering a question relating to an offence or connected with an election on the grounds that the answer thereto may incriminate or tend to incriminate him, or on the ground of privilege.</p> <p>(2) A witness who answers truly all questions, which he is required by the tribunal or court to answer, shall be entitled to receive a certificate of indemnity under the hand of the Chairman or the Tribunal or Presiding Justice of the court stating that the witness has so answered.</p> <p>(3) An answer by a person to a question before the Tribunal or Court shall not, except in the case of a criminal proceeding for perjury in respect of the answer, be admissible in any proceeding, civil or criminal, in evidence against him.</p>	Privileges of a witness

	<p>(4) When a person has received a certificate of indemnity in relation to an election and legal proceedings are at any time brought against him for an offence against the provisions of this Act, committed by him prior to the date of the certificate at or in relation to that election, the Tribunal or Court having cognizance of the case shall, on proof of the certificate, stay the proceeding, and may, at its discretion award to that person such costs as he may have been put to in the proceeding.</p>	
43.	<p>At the hearing of an election petition complaining of an undue return and claiming the seat or office for a petitioner, the respondent may, subject to the provisions of subparagraph (2) of paragraph 12 of this Schedule, give evidence to prove that the election of the petitioner was undue in the same manner as if he were the person presenting the election petition complaining of the election.</p>	Evidence of Respondent
44.	<p>(1) The Tribunal or Court shall have power, subject to the provisions of section 134 of this Act and paragraph 11 of this Schedule, to enlarge time for doing any act or taking any proceedings on such terms (if any) as the justice of the case may require except otherwise provided by any other provision of this Schedule.</p> <p>(2) An enlargement of time may be ordered although the application for the enlargement is not made until after the expiration of the time appointed or allowed.</p> <p>(3) When the time for delivering a pleading or document or filing any affidavit, answer or document, or doing anything or act is or has been fixed or limited by any of the sections, paragraphs or rules under or in pursuance of this Act or by a direction or an order of the Tribunal or Court, the costs of an application to extend the time, where allowed or of an order made there on shall be borne by the party making the application unless the tribunal or court otherwise orders.</p> <p>(4) Every application for enlargement or abridgement of time shall be supported by affidavit.</p> <p>(5) An application for abridgement of time may be ex parte, but the Tribunal or Court may require notice of the application to be given to the other parties to the election petition.</p>	Enlargement and abridgement of time

	<p>(6) An application for enlargement of time shall be made by motion after notice to the other party to the election petition but the Tribunal or Court may, for good cause shown by affidavit or otherwise, dispense with the notice.</p> <p>(7) A copy of an order made for enlargement or abridgement of time shall be filed or delivered together with any document filed or delivered by virtue of the order.</p>	
45.	<p>(1) When a petition comes up for hearing and neither party appears, the Tribunal or Court shall, unless there are good reasons to the contrary, strike out the petition and no application shall be brought or entertained to re-list it.</p> <p>(2) When a petition comes up for hearing, if the petitioner appears and the respondent does not appear the petitioner may prove his petition so far as the burden of proof lies upon him and the tribunal or court shall enter a final judgment in the petition.</p> <p>(3) When a petition comes up for hearing, if the respondent appears and the petitioner does not appear, the respondent shall be entitled to final judgment dismissing the petition.</p> <p>(4) Documentary evidence shall be put in and may be read or taken as read by consent.</p> <p>(5) A party shall close his case when he has concluded his evidence and either the petitioner or respondent may make oral application to have the case closed.</p> <p>(6) Notwithstanding subparagraph (5) of this paragraph, the tribunal or court may suo-motu where it considers that either party fails to conclude its case within a reasonable time, close that party's case.</p> <p>(7) The Secretary shall take charge of every document or object put in as exhibit during the hearing of a petition and shall mark or label every exhibit with a letter or letters indicating the party by whom the exhibit is put in (or where more convenient the witness by whom the exhibit is proved) and with a number so that all the exhibits put in by a party (or proved by a witness) are numbered in one consecutive series.</p> <p>(8) The Secretary shall cause a list of all the exhibits in the petition to be made which when completed shall form part of the record of the proceedings.</p> <p>(9) For the purpose of subparagraph (8) of this paragraph, a bundle of documents may be treated and counted as one exhibit.</p> <p>(10) When the party beginning has concluded his evidence, if the other party does not intend to call evidence, the party beginning shall within 10 days after close of evidence file a written address. Upon being served with the written address, the other party shall within 7 days file his own written address.</p>	Hearing in a petition

	<p>(11) Where the other party calls evidence, he shall within 10 days after the close of its evidence file a written address.</p> <p>(12) Upon being served with other party's written address the party beginning shall within 7 days file his written address.</p> <p>(13) The party who files the first address shall have a right of reply on points of law only and the reply shall be filed within 5 days after service of the other party's address.</p> <p>(11) Where the other party calls evidence, he shall within 10 days after the close of its evidence file a written address.</p> <p>(12) Upon being served with other party's written address the party beginning shall within 7 days file his written address.</p> <p>(13) The party who files the first address shall have a right of reply on points of law only and the reply shall be filed within 5 days after service of the other party's address.</p>	
46.	<p>(1) No motion shall be moved and all motions shall come up at the pre-hearing session except in extreme circumstances with leave of Tribunal or Court.</p> <p>(2) Whereby these Rules any application is authorized to be made to the Tribunal or Court, such application shall be made by motion which may be supported by affidavit and shall state under what rule or law the application is brought and shall be served on the respondent.</p> <p>(3) Every such application shall be accompanied by a written address in support of the reliefs sought.</p> <p>(4) Where the respondent to the motion intends to oppose the application, he shall within 7 days of the service on him of such application file his written address and may accompany it with a counter affidavit.</p> <p>(5) The applicant may, on being served with the written address of the respondent file and serve an address in reply on points of law within 3 days of being served and where a counter-affidavit is served on the applicant he may file further affidavit with his reply.</p>	Motions and applications



47.	<p>(1) Where a summons, notice or document, other than a notice or document mentioned in subparagraph (1) of paragraph 7 of this Schedule, is required to be served on a person for a purpose connected with an election petition, it may be served by delivering it to the person or by leaving it at his last known place of abode in the constituency with any person there found who is a resident of the abode and appears to be 18 years of age or more.</p> <p>(2) After a party has given an address for service it shall be sufficient if, in lieu of serving him personally with a document intended for him, the document is served on the person-</p> <p>(a) appearing on the paper last filed on his behalf as his Solicitor wherever the person may be found or, if the person is not found at his office, on the clerk there apparently in charge; or</p> <p>(b) named as occupier in his address for service wherever the person may be found or, if the person is not found at the address, on-</p> <p>(i) the person there found apparently in charge, if such address is a place or business, or</p> <p>(ii) a person, other than a domestic servant, there found who is a resident of the address and appears to be 18 years of age or more.</p> <p>(3) A party may change his address for service by giving notice of his new address for service and its occupier to the Secretary and to each party to the election petition, but, until a notice, is received by the Secretary, his old address for service shall continue to be his address for service.</p> <p>(4) Where service by one of the modes specified in this paragraph has proved impracticable, the Tribunal or Court may, on being satisfied, on an application supported by an affidavit showing what has been done, that all reasonable efforts have been made to effect service -</p> <p>(a) order that service be effected in any of the ways mentioned in the provisions of the Civil Procedure Rules relating to substituted service which service shall be sufficient; or</p> <p>(b) dispense with service or notice as the tribunal or court deems fit.</p>	Service of notice
48.	Two or more candidates may be made respondents to the same petition and their case may, for the sake of convenience be heard at the same time but for all purposes (including the taking of security) the election petition shall be deemed to be a separate petition against each of the respondents.	Two or more candidates as respondents
49.	Where two or more petitions are presented in relation to the same election or return, all the petitions shall be consolidated, considered and be dealt with as one petition unless the Tribunal or Court shall otherwise direct in order to do justice or an objection against one or more of the petitions has been upheld by the Tribunal or Court.	Consolidated petitions

50.	<p>(1) Where an election petition complains of the conduct of an Electoral Officer, a Presiding Officer, Returning Officer or any other official of the Commission he shall for all purposes be deemed to be a respondent and joined in the election petition as a necessary party, but an Electoral Officer, a Presiding Officer, Returning Officer or any other official of the Commission shall not be at liberty to decline from opposing the petition except with the written consent of the Attorney-General of the Federation.</p> <p>(2) If consent is 'withheld by the Attorney-General under subparagraph (1) of this paragraph the Government of the Federation shall indemnify the Electoral Officer, Presiding Officer, Returning Officer or such other official of the Commission against any costs which may be awarded against him by the Tribunal or Court in respect of the electionpetition.</p> <p>(3) Where the Commission, an Electoral Officer, a Presiding Officer, Returning Officer or any other official of the Commission has been joined as a respondent in an election petition, a Legal Officer of theCommission or a Legal Practitioner engaged by the Commission or the Attorney-General of the State concerned (acting in person or through any of his Legal Officers), or the Attorney-General of the Federation (acting in person or through any of his Legal Officers) shall represent the Commission Electoral Officer, Presiding Officer, Returning Officer or other official of the Commission at the Tribunalor Court.</p> <p>(4) A private Legal Practitioner engaged by the Commission under subparagraph (3) of this paragraph shall be entitled to be paid his professional fees and a Legal Officer so engaged shall be paid such honorarium as may be approved by the Commission.</p>	Electoral Officer, etc. as respondents
51.	In the absence of express provision in this Schedule, a party filing any document or process paper in connection with any step being taken in the proceedings of an election petition shall, unless the Secretary otherwise directs, leave with the Secretary copies of the document or process paper for service on each of the parties to the election petition in addition to three copies which the Secretary may preserve.	Duplicate of document
52.	<p>(1) Noncompliance with any of the provisions of this Schedule, or with a rule of practice for the time being operative, except otherwise stated or implied, shall not render any proceeding void, unless the Tribunal or Court so directs, but the proceeding may be set aside wholly or in part as irregular, or amended, or otherwise dealt with in such manner and on such terms as the Tribunal or Court may deem fit and just.</p> <p>(2) An application to set aside an election petition or a proceeding resulting there from for irregularity or for being a nullity, shall not be allowed unless made within a reasonable time and when the party making the application has not taken any fresh step in the proceedings after knowledge of the defect.</p>	Noncompliance with rules, etc.

	<p>(3) An application to set aside an election petition or a proceeding pertaining thereto shall show clearly the legal grounds on which the application is based.</p> <p>(4) An election petition shall not be defeated by an objection as to form if it is possible at the time the objection is raised to remedy the defect either by way of amendment or as may be directed by the Tribunal or Court.</p> <p>(5) An objection challenging the regularity or competence of an election petition shall be heard and determined after the close of pleadings.</p>	
53.	Subject to the express provisions of this Act, the practice and procedure of the Tribunal or the Court in relation to an election petition shall be as nearly as possible, similar to the practice and procedure of the Federal High Court in the exercise of its civil jurisdiction, and the Civil Procedure Rules shall apply with such modifications as may be necessary to render them applicable having regard to the provisions of this Act, as if the petitioner and the respondent were respectively the plaintiff and the defendant in an ordinary civil action.	Application of rules of court
54.	Subject to the provisions of this Act, an appeal to the Court of Appeal or to the Supreme Court shall be determined in accordance with the practice and procedure relating to civil appeals in the Court of Appeal or of the Supreme Court, as the case may be, regard being had to the need for urgency on electoral matters.	Practice and procedure of Court of Appeal and Supreme Court





PLAC hosts the secretariat of the Nigeria Civil Society Situation Room and is a member of its steering committee. The Situation Room provides a co-ordinating platform for civil society engagement on governance issues. It is also a platform for information sharing among civil society groups working on elections and topical national issues. It intervenes in the electoral process by promoting collaboration, proactive advocacy, and rapid response to crisis in the electoral process. The Situation Room provides a forum of advance planning, scenario building, evidence based analysis, constructive engagement with various stakeholders in the electoral and observation of elections

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