

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY,
IN THE ABUJA JUDICIAL DIVISION,
HOLDEN AT COURT NO. 11 BWARI, ABUJA.
BEFORE HIS LORDSHIP: HON. JUSTICE O. A. MUSA.
ON THE 23rd February, 2021

SUIT NO: FCT/HC/BW/CV/347/20

BETWEEN:

ENGR. PATRICK AJUDUA

APPLICANT

AND

1. SECURITIES AND EXCHANGE COMMISSION

2. OANDO PLC

RESPONDENTS

ENROLL ORDER

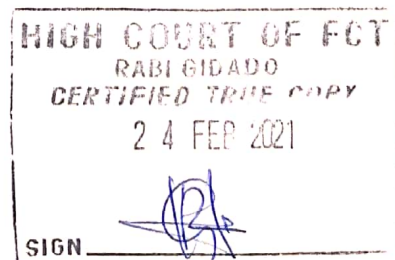
Upon Judgment delivered on the 23rd day of February 2021, It is hereby ordered as follows:-

HON. JUSTICE O. A. MUSA
PRESIDING JUDGE
23/02/2021

1. It is hereby declared that the Applicant as a member and/or shareholder of the 2nd Respondent (Oando Plc) has a right and freedom of association and assembly with other shareholders and right to receive information at the Annual General Meeting (AGM) of Oando Plc.

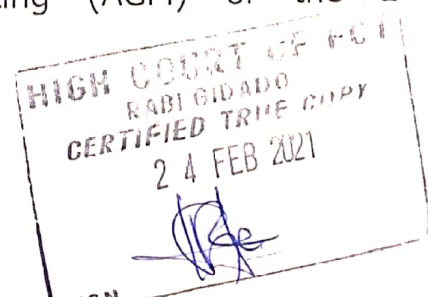
An order is hereby made declaring the 31st May 2019 letter of the 1st Respondent (SEC) to the 2nd Respondent (Oando Plc) as unlawful, and a violation of the Applicant's fundamental right to receive information on the affairs of the 2nd Respondent (Oando Plc), his

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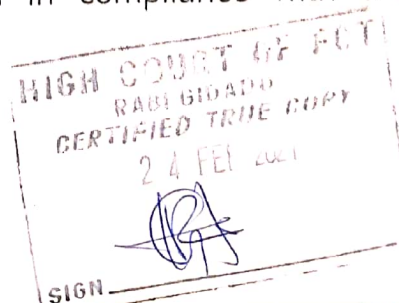
interest and shares in the 2nd Respondent company (Oando Plc).

3. It is further declared that the letter from the 1st Respondent (Securities and Exchange Commission) to the 2nd Respondent (Exhibit C) dated May 31st, 2019 which breached the Applicant's right; to receive information as enshrined in Article 9 of the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act is illegal, null and void and of no effect whatsoever.
4. AN ORDER is hereby made declaring as unconstitutional, null and void and a violation of the applicant's right to freedom of Association, Assembly and right to receive information, the directive of the 1st respondent, Securities and Exchange Commission (i.e. SEC) suspending/postponing indefinitely the Annual General Meeting (AGM) of Oando Plc, which is the gathering of the 2nd Respondent (Oando Plc) members and shareholders to which the applicant belongs for the purpose of association, assembly and receiving information.
5. AN ORDER is hereby made setting aside the directive of the 1st respondent i.e. Securities and Exchange Commission (SEC) suspending/postponing indefinitely the Annual General Meeting (AGM) of the 2nd



Respondent (Oando Plc) in violation, breach and contravention of the Applicant's right to freedom of association and assembly with other shareholders and right to information from other shareholders and Oando Plc.

6. AN ORDER is hereby made declaring as unconstitutional, null and void and a violation of the applicant's right to freedom of association, assembly and right to receive information, the refusal and/or failure of the 2nd respondent (Oando Plc) to hold and or convene its 2019 Annual General Meeting (AGM) which is the gathering of the 2nd Respondent's (Oando Plc) shareholders and members to which the applicant belongs for the purpose of association, assembly and receiving information on the affairs of Oando Plc, his interest and shares in the 2nd Respondent company (Oando Plc).
7. That the 1st Respondent, either by itself, servants, assigns, privies or agents howsoever described are hereby restrained from interfering in any manner whatsoever with the Directors of the 2nd Respondent lawfully appointed by the Applicant and shareholders in the 2nd Respondent's last Annual General Meeting.
8. The 2nd Respondent (Oando Plc) is ordered to convene and hold its Annual General Meeting within 90 days of the order of the court and in compliance with the



provisions of the Companies and Allied Matters Act while the 1st Respondent is equally restrained by itself, its servants, assigns, privies or agents howsoever described, from interfering with, disrupting and/or disturbing the applicant's constitutional right of Association, Assembly and right to receive information from other shareholders and members of Oando Plc at their 2019 Annual General Meeting (AGM).

GIVEN UNDER THE HAND OF THE HON. Presiding Judge and the seal of this Honourable Court dated 23rd day of February, 2021.

