

## **FAIR HEARING**

FAIR HEARING – Complaint of breach of – whether merits of party’s case relevant to – Need to give party to be affected by judicial injury opportunity of being heard – Non service of hearing notice on parties – Whether amounts to denial of fair hearing – OGUNDOYIN V ADEYEMI 2001 89 LRCN 2585; MOHAMMED V OLAWUNMI 1990 2 NWLR 458 1t 485; URHATA V MENTA LTD 1968 NMLR 55 at 58. ALJ YEKINI OTAPO V CHIEF R.O SUNMONU 1987 2 NWLR 605; CHIEF BUSARI AKANDE V STATE 1988 7 SCNJ 314.

**FAIR HEARING** – BURDEN ON PARTY COMPLAINING OF BREACH OF RIGHT – KENON V TEKAM 2001 90 LRCN 2821.

FAIR HEARING – When a court raises an ISSUE **SUO MOTU**, the Court should allow the parties address on the point – I.M.B SECURITIES V TINUBU 2001 91 LRCN 3000 See also SUO MOTU P.420.

FAIR HEARING – BREACH – Renders the enter trial null and void – WILSON V A.G. BENDEL 1985 1 NWLR Pt. 4 572 at; OJENGBEDE V ESAN 2001 92 LRCN 3326.

RIGHT TO BE HEARD – The court has a duty to ensure that a party is given every opportunity to present his case – ANIDIOBI V ANIDIOBI 2007 2 NWLR Pt. 1017, p.1 at p.3