

BOWEN UNIVERSITY, IWO
(OF THE NIGERIAN BAPTIST CONVENTION)
COLLEGE OF LAW
ADMINISTRATIVE LAW II - PIL 512
SECOND SEMESTER EXAMINATION 2024/2025 SESSION
COURSE CODE: PIL 512

INSTRUCTIONS: ANSWER TWO QUESTIONS FROM EACH SECTION AND EACH QUESTION CARRIES 17.5

SECTION A

1. Prof. Adana Abiala, was invited by the Administrative Law Club of Bowen University to speak at her Founders Day Lecture. In the course of her presentation, Prof. Adana Abiala stated that *administrative adjudication is a necessary evil with much benefits and fewer challenges and the concept is an amplification of the fact that for the wheels of governance to grin regularly, separation of power cannot be absolute.*
With your knowledge of Administrative Law, interrogate the statement of Prof. Adana Abiala. 17.5marks.
2. (i) Odebunmi John is a Law Student at Wazawaza University. On the 20th of May, 2025, he went to Bazeman Restaurant to have his dinner. While on the queue, Otuama obstructed him and they got into a staid altercation. The matter was reported at the Students' Disciplinary Committee (SDC) by the Manager of Bazeman Restaurant. The Notice invitation for the meeting was served on Odebunmi John by 10pm on the 19th of May, 2025 requiring him to appear before the SDC on the 20th of May by 8am. Agbaka, Agbabi, Agbake appeared and testified against Odebunmi John but left without Odebunmi John being given an opportunity to cross examine them. The Chairman of the Panel was Otuama's uncle, Prof. Oscar Otuama a disciplinarian and an honest fellow.
(ii) Meanwhile, Akan Corporation is owned by Iseyin State established under the Iseyin Corporation Act. Section 2 provides that anyone who must sue it must notify it at least three months before doing so. On the 1st day of March, 2025, Apina was knocked down by a truck belonging to Akan Corporation. He briefed Abimama Pauline Esq. who sued Akan Corporation contrary to section 2 of its establishment law. During the trial, the Counsel to Akan Corporation raised a preliminary objection to the jurisdiction of the court hinging it on the failure to comply with section 2 of Akan Corporation establishment law. Abimama Pauline Esq. responded that the right of access to court is a constitutional right and cannot be denied nor restricted.
(iii) Meanwhile, Priscila Mackle's employment was terminated by Nepa Nag. Cooperation owned by Omar State on the 1st of January, 2025. The Public Cooperation Protection Law of Omar State provides that actions against the corporation or any of its staff must be instituted within 3 months from the day the cause of action accrued. Priscila Mackle instituted the action challenging her termination on the 1st of April, 2025. Would your answer be different if the Courts in Omar State were on strike from the 30th of March, 2025 to when she finally filed her action in court challenging her termination?
With your knowledge of Administrative Law, and keen attention on dates, identify and discuss all the legal issues involved in the above scenarios. 17.5marks.
3. Prof. Phoebe Amang was teaching the 500 Level students of Awa University Administrative Law. In the course of the lecture, she asserted that *the rule against bias in adjudication serves no use, and executive immunity in Nigeria, should be expunged from the constitution.* **Critically evaluate this assertion. 17.5marks.**

SECTION B

4. In a broadcast last week, the Federal Board of Inland Revenue announced their decision to allow certain taxpayers settle their tax liabilities on favourable terms which is in accord with the law guiding it. This greatly irked Professor Bob Rogers, a foremost Human Rights activist of international repute who vowed to see the decision quashed. He has now sued the Board. **With the aid of statutory and judicial authorities, discuss the likelihood of the success of the suit. 17.5marks.**

5a. Mr. Okin is a senior staff of Jinjer Group of Companies. Shortly after the Easter holiday, Mr. Okin had a misunderstanding with Miss Igberaja, a junior staff of the company who is also the niece of the Chief Executive Officer. She vowed to deal with him for daring to question her. Few days later, the company received a report of unruly and insubordinate action against Mr. Okin from Miss Igberaga and quickly conveyed an emergency meeting. The board did not issue any invitation to Mr. Okin; it however, deliberated on the report against him and subsequently dismissed him without benefits based on the allegations. Mr. Okin has concluded an arrangement with you to invoke the prerogative remedy of Prohibition against the company.

Advise him. 12marks

5b. As the tutorial was on-going, you were suddenly asked to explain the Writ of Habeas Corpus. **With the aid of statutory and judicial authority, kindly explain. 5.5marks**

6. Judicial review is one of the most potent powers in the hands of the judiciary in a democratic system of government. **Critically discuss this assertion. 17.5marks.**