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APPEALS - Fresh evidence - Application must be brought to adduce further evidence on appeal - Appellant not having done this - The ground and issue formulated thereon cannot be competent (H1) *Ikpeazu v. Otti* p. 1377

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ELECTIONS - Pre election - Jurisdiction - Only aspirants at primaries can complain about the conduct thereof - And jurisdiction in such matters resides not in election tribunal - But in High Courts (H6)

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MURDER - Identity of deceased - Post mortem - Where evidence of prosecution identified body of deceased after a post mortem - A separate witness on issue of deceased's identity is not a necessity (H2) Egharevba v. State p. 1357

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ORDERS OF COURT - Non suit - Is made where plaintiff has not failed entirely to prove his case - Where defendant is not entitled to court's judgment - Where no injustice to defendant would be caused

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PLEADINGS - Admission - Are waiver of all controversy on the fact the pleader admits - And a party must be consistent in pleading and stating his case in - In order to succeed (H5) Alhassan v. Ishaku p. 1279

PLEADINGS - Binding nature of - Pleading conveys the claim of plaintiff to defendant - And parties and courts are bound by pleadings - As no party would be allowed to contend the contrary (H1) Alhassan v. Ishaku p. 1279

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TORTS - Defamation - Defence - Malice could not be inferred - Having regard to defence of qualified privilege properly made out by appellants - Which respondent failed to rebut (H6) Mainstreet Bank Ltd. v. Binna p. 1433

TORTS - Defamation - Defence of qualified privilege - Once the plea is made out - Inference of malice is rebutted - And burden is upon plaintiff to prove express malice against defendant (H4) Mainstreet Bank Ltd. v. Binna p. 1433

TORTS - Defamation - Motive - Where plea of qualified privilege is raised - Defendant's belief only becomes relevant in mitigation of damages - Where plaintiff served a reply alleging express malice (H5) Mainstreet Bank Ltd. v. Binna p. 1433

TORTS - Defamation - Technical malice - Arises where it is pleaded that words were printed falsely - And it is shown that the defamatory

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Court of Appeal Rules, O. 4 r. 4(1) S.P.D.C. Nig. Ltd. v. Sam Royal Nig. Ltd. p. 1495

Criminal Code Cap. 48, vol. II Laws of Bendel State of Nigeria 1976, ss. 319, 324 Egharevba v. State p. 1357

Criminal Procedure Laws, s. 210 Nwokocha v. A-G Imo State p. 1457

Electoral Act 2010 (as amended), ss. 87(4)(9), 137, 140(2) Alhassan v. Ishaku p. 1279

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High Court of Lagos State (Civil Procedure) Rules 1994, O. 37 Egbuchu v. Continental Merchant Bank Plc p. 1337

Legal Practitioners Act Cap L11 LFN 2004, ss. 2(1), 24 S.P.D.C. Nig. Ltd. v. Sam Royal Nig. Ltd. p. 1495

Robbery & Fire Arms (Special Provisions) Act Cap 398 vol. XXII LFN 1990, s. 1(2)(b) Nwokocha v. A-G Imo State p. 1457

Supreme Court Rules, O. 9 r. 3(1) S.P.D.C. Nig. Ltd. v. Sam Royal Nig. Ltd. p. 1495