

FORM 90

Warrant of Committal or Remand of Judgment Debtor for Misconduct

IN THE NATIONAL INDUSTRIAL COURT OF NIGERIA

In the Judicial Division

Suit No. of

Between

A.B Claimant

And

C.D and E.F Defendants

the day of, 20.....

To the Sheriff, and to the Officer in charge of prison.

(First Recital-Form 17, Sheriffs and Civil Process Law, Cap 151.)

AND WHEREAS on the.....day of....., 20.....at the hearing of (or being the return day of) a judgment summons issued in this against the said Defendant (and duly served) the said Defendant refused to be sworn (or to disclose the matters on which the Defendant was examined) (or did not answer to the satisfaction of the Court) (or it appeared to the Court that the said defendant refused or willfully neglected to pay on demand the sum of ₦..... payable in pursuance of the said judgment (or order) and had (or had since the date of the judgment or order) sufficient means to pay the said sum) (or that the Defendant, etc., reciting any other misconduct of the kind enumerated in section 55 of the Law) (or the said Defendant did not attend and did not excuse the non-attendance to the satisfaction of the Court) :

AND WHEREAS on the said hearing (or return) day the Court made an order calling upon the said defendant to show cause why the Defendant should not be punished for misconduct (or non-attendance) (or issued a warrant for the arrest of the said Defendant) :

AND WHEREAS on the.....day of....., 20.....(the return day of the said judgment summons to show cause) the said Defendant was brought before the Court in custody (or attended) as directed by the said warrant (or order) and did not show cause why he should not be punished (or the said Defendant failed to attend as directed by the said order, and show cause why the Defendant should not be punished (or the said defendant failed to attend as directed by the said order, and has not established sufficient reason for not attending), and it was ordered that a warrant should issue for the remand (or arrest and commitment) of the said defendant as for contempt of Court for..... (unless the Defendant shall sooner pay the sum stated below as that upon payment of which the Defendant is to be discharged) :

These are therefore to require you the said Sheriff forthwith to (arrest the said Defendant and) safely convey and deliver the Defendant (or the said Defendant) to the Officer in charge of the prison at.....and you the said Officer to receive the said Defendant and keep the Defendant safely in the said prison for.....from the arrest under (or date of) this warrant, or until the Defendant shall be sooner discharge by due course of law.

DATED this.....day of....., 20.....

.....
Judge

Sum in payment of which defendant has made default
at the time of issue of the judgment summons.....
Fees and cost of issue of judgment summons.....
Deduct amount paid since issue of judgment summons.....
Fees for issue of this warrant.....
Sum of payment of which the debtor may be (or is to) be
discharged by order of the Court.....
(For use when part payment is made after issue of warrant)
Deduct amount paid since issue of warrant.....
Balance (if any on payment of which the debtor may be (or is to be)
discharged by order of the Court.....

.....
Registrar

Note :— A separate warrant must be issued in respect of every Defendant
required to be remanded or arrested.