**ELIKWU Caesar Manuchimso.**

**16/LAWO1/074.**

**15/5/2020.**

**Land Law Test.**

The legal issue with bearing to the question lies in whether the govenor had the power to revoke the statutory occupancy of the aggreived (Chief Ajah). Notwithstanding the question as to whether the claim of the aggrieved will be succesful in court.

For the first issue I answer in the affirmative. Following the rules of the Land Use Act, SECTION 28 states or enumerates that a right of occupancy may be revoked by the Governor for overriding public interest. This power is exercisable in respect of either statutory right of occupancy or customary right of occupancy. It is also workable in veiw of occupancy granted by the government

In synthesis with the Quarantines Act the Govenor is backed by the law, as Chief Ajah is also required to pay fines or be imprisoned per SECTION 5 of the Quarantines Act.

In lieu of the second issue the aggrieved is entitled to compensation according to SECTION 44 of the CFRN which guarantees payment of compensation , the Land Use Act prescribes the payment of compensation upon revocation of occupancy, therfore when a right of occupancy is revoked the aggrieved shall be ultimately entitled to compensation for the value of the land at the date of revocation of the unexhausted improvements (pari materia SECTION29(1) Land Use Act).

In conclusion I would advise Mr. Ajah to file a suit and claim compensation for the full value of his hotel(s), he can do more than that since the Govenor acted on executive powers granted to him.