

# CAVEAT EMPTOR

IN THE FEDERAL HIGH COURT  
LAGOS DIVISION

SUIT NO: FHC/L/CS/1617/2024

IN THE MATTER OF WEST POWER AND GAS LIMITED  
AND IN THE MATTER OF THE COMPANIES AND ALLIED MATTERS ACT 2020

BETWEEN  
DAVNOTCH NIGERIA LIMITED

APPLICANT

AND

WEST POWER AND GAS LIMITED  
WPG INTERNATIONAL LIMITED  
TIME AND ENERGY INVESTMENTS LIMITED  
NIGERIAN ELECTRICITY REGULATORY COMMISSION  
CORPORATE AFFAIRS COMMISSION

DEFENDANTS

## **NOTICE OF ORIGINATING MOTION**

This is to inform the general public that in the above-named proceedings, which are pending at the Federal High Court Lagos, the Applicant, Davnotch Nigeria Limited, is seeking various relief against the Respondents, on a joint and several basis, pursuant to section 115 of the Companies and Allied Matters Act 2024, including the following:

1. A declaration that Applicant is a shareholder in West Power and Gas Limited and WPG International Limited (the First and Second Respondents respectively) in respect of at least 2,290,000 fully paid ordinary shares in the undiluted share capital of West Power and Gas Limited, an order for rectification of the share register of West Power and Gas Limited, alternatively the WPG International to reflect the issuance of 2,290,000 shares to the Applicant, and cancellation of an equal number of shares registered in the name of Time & Energy Investments Limited (the Third Respondent) in WPG International Limited, if necessary.
2. An injunction restraining the West Power and Gas Limited, WPG International Limited and/or Third Respondents and/or their agents and/or privies from altering the respective share registers of West Power and Gas and WPG International respectively or otherwise recognising any share transfers in

favour of any third party in the share capital of either company, until the shares belonging to the Applicant in both companies have been issued and registered in its name.

3. An injunction restraining Nigerian Electricity Regulatory Commission (the Fourth Respondent) from consenting to any transfer or proposed transfer, direct or indirect, of shares in Eko Disco, First and/or Second Respondent until the shares belonging to the Applicant in the West Power and Gas and WPG International have been issued and registered in its name.
4. On 24 September 2024, the Federal High Court gave permission to serve the proceedings on WPG International and the Third Respondent by courier in Mauritius. The service has since been effected.
5. On the same 24 September 2024, the proceedings were served on West Power and Gas Limited at its registered or principal office - 1b Tiamiyu Bello Osagie Street, Parkview, Ikoyi, Lagos.
6. Accordingly, the general public, in particular, any person bidding to acquire shares in Eko Disco or its holding companies – West Power and Gas Limited and WPG International – that there is a dispute in court concerning the true shareholders in these companies and their respective shareholdings and makes any acquisition in these companies at its own risk.

DATED this 3<sup>rd</sup> day October 2024

**DAVNOTCH NIGERIA LIMITED**