

## ESTOPPEL

ESTOPPEL – Cause of action estoppel and issue estoppel – Distinction between  
– Issue estoppel, *res judicata*, *per rem judicatum* – Elements to establish same  
– ADONE V IKEBUDU 2001 90 LRCN 2711; UKAEGBU V UGOJI 1991 5  
LRCN 1427; 1991 6 NWLR Pt. 196 127 at 168;  
FADIORA V GBADEBO 1978 3 SC 219.

ESTOPPEL – Whether can be raised by a Plaintiff – When – How – ADONE V  
IKEBUDU supra; YOYE V OLUBODE 1978 3 SC 220, 222; SOSAN V  
ADEMUYIWA 1986 3 NWLR Pt. 27 241.

ESTOPPEL *PER REM JUDICATUM* – PLEA AS A SHIELD RATHER  
THAN A SWORD – YOGE V OLUBODE SUPRA; EMMANUEL IGWEGO  
V FIDELIS EZENGO 1992 6 NWLR Pt. 249, 56` at 587;  
ACHIAKPA V NDUKA 2001 90 LRCN 2865.

ESTOPPEL TO BE SPECIFICALLY PLEADED – OMIDOKUN OWONIYI V  
OMOTOSHO 1961 ANLR 304;  
CHUKWURAH V OFOCHEBE 1972 12 SC 189 at 195.

ESTOPPEL - RES JUDICATA – NEED TO SPECIFICALLY PLEAD SAME  
– SAMENESS OF PARTIES AND ISSUES - OSHODI V EYIFUNMI 2000 80  
LRCN 2877;  
OKUKUJE V AKWIDO 2001 83 LRCN 225.

ESTOPPEL – ISSUE ESTOPPEL – RATIONALE – IKENI V EFAMO 2001  
87 LRCN 1690.