

IN THE DISTRICT COURT OF PLATEAU STATE
IN THE DISTRICT COURT OF BARKIN LADI
SMALL CLAIMS
THIS 9TH DAY OF MAY 2024
BEFORE: HON O.M MAFUYAI

SDCBL/SC1/2024

BETWEEN:

AUWAL MOHAMMED IBRAHIM.....CLAIMANT

AND

UMAR
MOHAMMED.....DEFENDANT

**CLAIM: THE SUM OF TWO MILLION, EIGHT HUNDRED AND SIXTY
THOUSAND (N2,860,000.00) NAIRA ONLY**

PARTIES; Parties present in court

APPEARANCE: M.I Malau for the claimant who is in court

This small claim is coming up for the first time today and all the processes have been served on the defendant and this morning, when i came to the court. I found out that the defendant has not filed a defence, which means he does not have a defence or does not intend to defend the claim. In view of that I want the court to find out whether there is any defence, in absence of which I apply that judgement be entered as per the amount on the originating process which will yield ten percent interest from the day judgement is entered till the date the amount is finally defrayed and also the cost of this action which is Fifty Thousand Naira for the rigour the claimant went through to bring this case to court.

CRT ---Def : What is your response to the claimant's claim

DEF—I Plead with the Court and the claimant to exercise a little patience as I will offset the debt. It just that I was duped and I have been sick for about two years now. I ask for time from court to allow me sit down with the claimant to come up with terms of settlement

CRT: This case is hereby adjourned to 21\5\24 for report of settlement

SIGN

9\5\24



F-G. Anley
Registrar

Today 21st May 2024.

CORAM: Same

Parties: present in court

CRT ---DEF: Have you reached an agreeable settlement with the claimant?

Def---- I was able to raise the sum of Ninety-Five Thousand Naira and I have transferred same to the claimant account. Am only pleading for more time to enable me pay the rest of the money in instalments.

Crt—: What is the agreeable settlement both of you have reached?

Def—like I said I don't have any means of livelihood for now, like i informed the court earlier that I have been sick for about two years now. It is now am better and i want to start my business again

CRT---The court will stand down this case to enable both parties to come up with terms of settlement or an agreeable settlement and report back to the court to enable the court enter same as consent judgement

CRT

CRT RECONVENE AFTER RECESS

DEF—I Propose thirty thousand naira monthly for seven month which the claimant refused but he agreed for One Hundred Thousand Naira monthly for a period of seven months to see my commitment before he can propose how I should pay the other balance because according to him he is really in need.

Claimant---I did not agree to any proposal, I phoned my brother and he told me not to agree on any amount\figure, that I should allow the court to decide the matter in the court wisdom. I am only dispensing with the interest that would have accrued to me and also the cost of the action.

DEF: Brother by name Ibrahim Mohammed

We initially agreed for one hundred thousand naira monthly but when we came back inside the court the claimant told me that he phoned his brother and that his brother and his brother advised him not to agree to any terms or amount with the defendant, that he should allow the court to decide

CONSENT JUDGEMENT

BASED UPON THE mutual agreement of parties in respect of this case, the defendant having agreed on his indebtedness to the claimant as contained in the particulars of claim less the sum of Ninety-Five Thousand Naira, the claimant on his own part agreed to dispense with the Five Hundred Thousand Naira interest on the sum owed, consequently **CONSENT JUDEGEMENT IS HEREBY ENTERED** for the parties as their agreement before the court as follows;



- i. the defendant Umar Mohammed Sadiq is hereby ordered to pay to the claimant the total sum of Two Million, Seven Hundred and Sixty-Five Thousand Naira only on or before the 30th day of June, 2024.

THIS IS THE JUDGEMENT OF COURT DATED THIS 21ST MAY 2024

**RIGHT APPEAL LIES TO HIGH COURT WITHIN 14DAYS OF THIS
JUDGEMENT**

SIGN

21\5\24

