

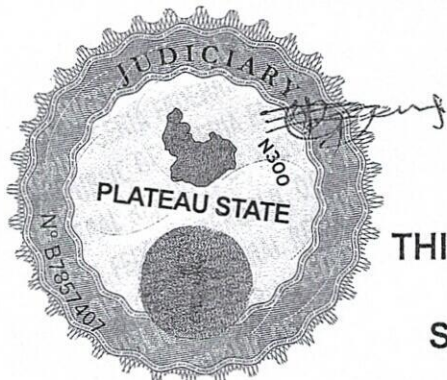
IN THE SENIOR DISTRICT COURT OF PLATEAU STATE

(SMALL CLAIM COURT)

HOLDEN AT JMDB, JOS

THIS 6TH DAY OF FEBRUARY, 2024

SUIT NO.SCA/JMDB/CV/1/2023



CORAM: JOSEPH D. CHOLLOM

BETWEEN

SPIRAL GLOBAL INTERGRATED

SOLUTION LTD -

AND

ENGR.RICHARD AKANDE --

CLARK: Rachael Kalanto

Ladi Danladi

Anthonia Nyelong Esq with him S.S Ochope Esq for the claimant

Claimant not in court,

Am Bello Esq for the defendant.

Defendant not in court.

Certified True Copy
Chief Magistrate Court J.M.D.B Jos
Name: ELIZABETH D. GILANCH
Sign: [Signature]
Date: 5-3-2024

CLAIMANT

DEFENDANT

ASS.

fee - #450. =
R/MO. 6034410
Date: 5-3-2024

JUDGMENT

The claimant claims against the defendant by his particulars of claim dated the 6-10-2023 the as follows;

1. The sum of N984,000.00 Nine Hundred and Eighty four thousand Naira only.
2. Cost of action.

Certified True Copy
Chief Magistrate Court J.M.D.B. Jol
Name: ELIZABETH D. GIANCA
Sign: [Signature]
Date: 8-5-2024

The claimant in an effort to established his claim called a lone witness and tendered documents in evidence which were admitted in evidence and marked as exhibit A1-2, and B respectively.

The defendant on his part equally called a sole witness in his own defence.

PW1 Joseph A. Aku

It is the evidence of this witness that in October, 7- 2020, the counsel informed him that the defendant has crutch (quarry stone). For sale that he indicated in trust and that they entered negotiation and he paid the sum of N3,000,000.00 (three Million Naira) into the defendants counsel account, Barr. Gokir Daniel James on the 9-10-2023 that after the payment, they agreed on when to go and evacuate the crutch (quarry stone). That they were able to vacate material worth 1-2 million Naira.

Leaving a balance of N984,000,000.00 that they could not evacuate the rest of the material because they had challenged with transportation and that both parties agreed that they can come for the evacuation when both are ready, that the got ready to evacuate, but getting, the defendant was difficult and so they wrote a demand letter dated 19-8-2023 through his counsel M.D Karshima & Co. No.7 Legal Avenue behind High Court, Jos. And that since then, they have not received any formal reply from the defendant that he can identify the bank statement the said statement of account was admitted in evidence and marked exhibit A.

The letter of demand dated 19-8-2023 was also admitted in evidence and marked as exhibit 'B'

That he wants the court to compel the defendant to allow him packed the crutch stonesto the balance of N984, 000.00 or the present equivalent of N4, 920.00 being the present value of those material.

Under cross examination, PW1 stated that there was on M.O.U entered by the parties, he do not have it.

That there was no hindrance when he packed the crushed stones. That the transport was in two ways that he brought the pay loader the crushed stones, while they brought the trucks.

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Chief Magistrate Court J.M.D.C.
Name: ELIZABETH D. GYANCA
Sign: [Signature]
Date: 5-3-2024

trucks to the site for loadings and that they began the movement of the quarry outside the quarry.

That they worked for two days and they had problem with the trucks drivers and that he asked Nura and he said the problem has not been settled.

That he waited for two weeks in Jos and after two weeks his boss commanded him to come down Abuja.

That in November, his boss directed him to come back to work in Jos i.e to continue with the movement of the chippings and that they commenced the movement of the chippings on the 10-11-2023 till December 17.

That on December ending, they moved all their material from the quarry and that his boss asked him to shut down the operation for the year.

That they usually closed by 15th of that year, but that because of the movement of their material, they extend to 27-12-2023 and that by 18th, he asked him to come down to Abuja.

That two days back, he was asked to come down to Jos and that he said for what as they have move all their material.

Under cross examination, DW1 stated that from 10-11-2023, 17, 2020.

They moved the chippings with Engr. Nura Mohammed.

Anthonia Nyelong Esq we appreciate the court for the judgments, we shall be asking for cost in the sum of N300,000.00 only being the cost of appearance at N10,000,00 for appearance.

Am Bello Esq we concede to no cost both parties to bear their respective cost we concede to N15,000.00.

Court: I have heard the application for cost and the fact that learned counsel for the defendant concede to N15,000,00, cost follow events. Therefore, I award cost in the sum of 44,300,00 (Forty four Thousand three Hundred Naira) only in favour of the Claimant against the defendant

RIGHT OF APPEAL

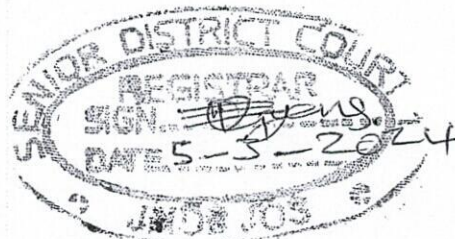
There is a right of appeal by any aggrieved party within 30 days from the date of this judgment.

Joseph .D. Chollom
Senior District Judge
6-2-2024

Certified True Copy
Chief Magistrate Court J.M.D.B
Name: ELIZABETH D. CYANICA
Sign: [Signature]
5-3-2024

Certified True Copy
Chief Magistrate Court J.M.D.B Jo:
Name: ELIZABETH D. CIANG
Sign: [Signature]
Date: 5-3-2024

Certified True Copy



Registrar