

IN THE DISTRICT COURT OF PLATEAU STATE OF NIGERIA (SMALL
CLAIMS)

HOLDEN AT NO. 5 LUGARD ROAD, JOS
TODAY 19TH FEBRUARY, 2024

SUIT NO: SDC/SC/J/5/006/2023

BEFORE HER WORSHIP HON D. A NYAM ---- SENIOR DISTRICT JUDGE

BETWEEN:

MOHAMMED TASIU ZAKARI ----- CLAIMANT
AND
AMINU SABITU ZAKARI ----- DEFENDANT



CLAIM: ₦1,600,000.00 (ONE MILLION SIX HUNDRED THOUSAND ONLY)

₦400,000.00 COST OF ACTION (FOUR HUNDRED THOUSAND NAIRA
ONLY)

₦6,300.00 - COURT FEES (SIX THOUSAND THREE HUNDRED NAIRA
ONLY)

APPEARNCES: M. B Abdullahi with S. M Abubakar for the Claimant who is not in court.

DEFENDANT-NIL

Abdullahi: Matter is slated for Further Mention. The Defendant was served with all the court's processes by substituted means as ordered by the Hon. Court. The Defendant has not filed a defence to the claims against him and by the provision of ARTICLE 9 (3) DISTRICT COURTS LAW PRACTICE DIRECTIONS ON THE SMALL CLAIMS, 2022. The Defendant is deemed to have admitted the claims against him. In the circumstances, we humbly apply that judgment be entered in favor of the Claimant against the Defendant as per the Claimant's particulars of claims FORM SCA 2

Court: The Defendant was served all the processes in this suit by substituted means as ordered by the Hon court on the 2nd February, 2024 and in line with the provision of ARTICLE 8 (4) & (5) of the DISTRICT COURTS LAW PRACTICE DIRECTIONS ON THE SMALL CLAIMS 2022 Yet the Defendant is not in court, neither is he represented nor any reasons

advanced for his absence in court. I have perused the case file, and indeed the Defendant has not filed Form SCA 5 indicating if he has a defence to the Claimant's. Refusal on the part of the Defendant to file any defence in the face of glaring accusations against him is deemed as admission in law. I commend **N.B.A V AJIGHO (2010) 15 NWLR (pt. 1481) @ 86.**

In line with the provisions of ARTICLE 9 (3) & ARTICLE 11 (2) DISTRICT COURT PRACTICE DIRECTIONS ON SMALL CLAIMS, 2022, judgment is accordingly entered in favor of the Claimant against the Defendant as per the Claimant's particulars of claim FORM SCA 2 except for 20% interest on the judgment sum.

That is the judgment of the court.

RIGHT OF APPEAL

SIGNED

HER WORSHIP HON. D. A NYAM

SENIOR DISTRICT JUDGE

19TH FEBRUARY, 2024

CERTIFIED TRUE COPY

