

IN THE SENIOR DISTRICT COURT OF PLATEAU STATE OF NIGERIA
SITTING AT ABATTOIR, JOS.

BEFORE HON. T.E. GOTEPI (ESQ.)

CLAIM NO: SCCA/1SCC/2024

BETWEEN: -

NANDOM JAMES CLAIMANT

AND

GLORIA MANCHA DEFENDANT

Parties in Court

Clerk: Bewarang

JUDGEMENT PROCEEDING DATED 11/7/2024.

Appearance: D.Y Danladi for the Claimant.

Stella Samuel for the Defendant.

This matter commenced on the 29/4/2024 but was not mentioned because Counsel to the Claimant intimated the Court that the Defendant had approached them for settlement. Settlement failed and the matter proceeded to hearing on the 16/5/2024 with **P.W.1** testifying as the sole witness.

P.W.1: James Nandom Zitta

Stated he resides behind Hwolshe Medical Centre Tudun Wada Road, Jos. That he is a Businessman and he know the Defendant who is his customer. That on the 13/12/2023 the Defendant met him at Mountain Green Hotel Tudun Wada Jos and pleaded he gives her Rice 45 Bags. That he was having 43 Bags in the shop and he told her he will not give her the Rice because she is not straight forward in doing business but she pleaded she had a supply in Abuja. That on the 15/12/2023 after a lot of plead from the people he respects, he gave her 45 bags of Rice at **₦43,000** each Bag and everything amounted to **₦1,935,000**. That there was rice she asked him to process for her and after making the process, she sold the black Rice and the broken Rice to him and he gave her half of the money which was **₦15,000** (per Kg) that when she collected the rice they subtracted **₦15,000** which she was left with the balance of **₦1,920,000**. That immediately he gave her the Rice, she said she was going to send the money the next day and he kept

calling her the next day but she was not responding. That she called him on the 20/12/2023 that the people have not sent the money to her. That he went to her house and met her husband but she pleaded with him and they wrote an agreement and she said she will pay the money on or before the end of January, 2024. That the agreement was in writing but the soft copy is in his phone. That he reported the case to SARS office Bukuru and she wrote an agreement there again but she refused to pay the money, that was why he invited his lawyer to file the case. That the Claim is for **₦1,920,000**. That he wants her to pay the money and the damages as well. That he can identify the undertaking written to pay in January, it is in a jotter and her handwriting. The agreement was received in evidence and marked as exhibit A1.

That he went to SWAT Office to get the undertaking but the told him it is in their document but he has his phone record with her. That he does not know if she returned the Rice she said, is not good to him that her husbands is aware of the Agreement.

There was no cross examination. The Claimant closes his case and the matter was adjourned for Defence on the 4/6/2024.

The issue of settlement and mode of payment came up again but the court declined on that and advice Judgment be entered while issue of how payment will be made will come subsequently since small claim is time bound.

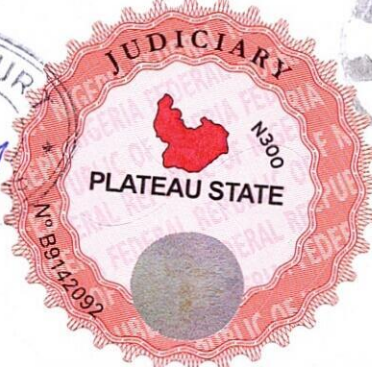
Having looked at the Claim of the Claimant the Defendant is not denying the fact that she collected 45 bags of Rice to the amount of **₦1,920,000** they subtracted the **₦15,000**. Facts not contravened or denied are deemed admitted, the Claimant has proved his case on the preponderant of evidence. Judgement is hereby entered in his favor:

That the Defendant pays the sum of **₦1,920,000** to the Claimant. The court will decide on how many installments the payment will be made.

Danjuma – We are yet to receive a dime from the Defendant.

Samuel – We are grateful for the fund ^{Judgement} government.

Matter is adjoined to 27/7/2024 for mode of payment.



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CLAIM NO: SCCA/1SCC/2024

BETWEEN: -

NANDOM JAMES CLAIMANT

AND

GLORIA MANCHA DEFENDANT

Parties Absent

Clerk: Bewarang

JUDGEMENT PROCEEDING DATED 21/7/2024.

Appearance: D.Y Danladi for the Claimant.

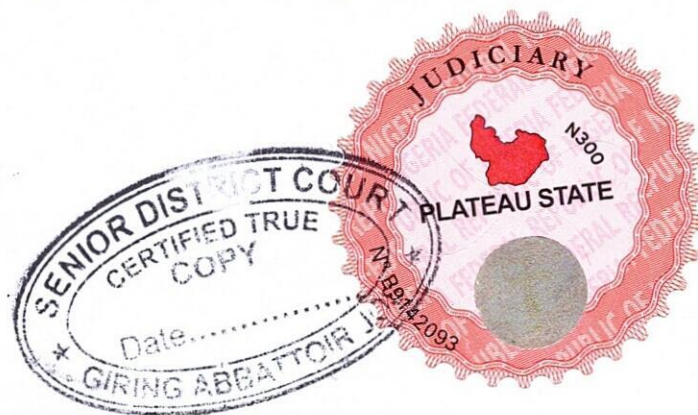
Stella Samuel for the Defendant/Judgement Debtor.

Stella: The Matter is for Report of Settlement/Mode of payment. However, the Settlement has failed. I want to withdraw my Appearance in this case.

Court: Withdrawal of Appearance is noted. The Mode of payment is for closed.

Danladi: The mode of payment having been foreclosed. We apply for cost. We have put in 8 Appearances and ₦10,000 for each Appearance also damages.

Court: Cost of ₦50,000 is hereby awarded against the Defendant to be paid forthwith.




SIGNED
T.E GOTEP.
21/7/ 2024.