

IN THE SENIOR DISTRICT COURT OF PLATEAU STATE OF NIGERIA[SMALL
CLAIM]

IN THE DISTRICT COURT OF THE JOS DISTRICT

HOLDEN AT NO: 5 LUGARD ROAD, JOS

TODAY 20th MAY, 2024

BEFORE HER WORSHIP D A. NYAM ---- SENIOR DISTRICT COURT

CLAIM NO: SDC/J/5/SC/019/2024

BETWEEN:

PETER CHOJI MANGAI ----- CLAIMANT

AND

RABUO JOSHUA ALI ----- DEFENDANT

CLAIM:

#200,000.00[two hundred thousand naira only]

5% interest

#30,700.00 [thirty thousand seven hundred naira only] court fee.

APPEARANCES: Claimant is in court.

Defendant is not in court.

Court --- The matter is slated for mention. The Claimant was served the letter of Demand as in FORM SCA1 in line with the provision of **ARTICLE 5 [e] PLATEAU STATE SMALL CLAIMS COURTS PRACTICE DIRECTION, 2022.**

The Defendant was also served the originating processes in this suit wit; the complaint FORM SCA2 and the Summons FORM SCA3, yet the Defendant is not in court neither is he represented nor any reasons advanced for his absence in court.

The Defendant has not filed a defence in line with the provisions of **ARTICLE 9 [1] PLATEAU STATE SMALL CLAIMS COURTS, 2022** and by **ARTICLE 9 [3] PLATEAU STATE SMALL CLAIMS COURTS, 2022**, the Defendant is deemed to have admitted the claim of the Claimant. It is trite and settled law that facts admitted needs no further prove. I commend the case of **AKINYEDE OLAIYA V THE STATE [2017] LER SC 562/2614** where the Supreme Court held thus;

"facts admitted, or facts not disputed need no further proof.

"They are, in law taken as proved/established" And I so hold.



In the light of the above, judgment is accordingly entered in favor of the Claimant against the Defendant as per the Claimant's claims in FORM SCA3 follows;

-the Defendant is to pay to the Claimant the sum of #200,000.00[two hundred thousand naira only] debt for rent for the tenancy year 2023.

-the Defendant is to pay to the Claimant the sum of #30,700.00 [thirty thousand seven hundred naira only] as court fee.

That is the judgment of the court.

RIGHT OF APPEAL.

Signed. 

Her Worship D.A Nyam.

District Court Judge.

20th May,2023.



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REGISTRAR