

IN THE SENIOR DISTRICT COURT OF PLATEAU STATE OF NIGERIA
SITTING AT ABATTOIR, JOS.
BEFORE HON. T.E. GOTEP (ESQ.)

CLAIM NO: SCCA/6CC/2024

BETWEEN: -

MR. TISAN TOYE CLAIMANT

AND

MR. DANIEL C. NJOKWU DEFENDANT

Parties absent

Clerk: Bewarang

JUDGEMENT PROCEEDING DATED 10/6/2024.

Appearance: F.I. Obed for the Claimant.

This matter commenced on the 8/4/2024 with the Defendant absent from Court. Hearing commenced subsequently with one witness testifying.

P.W 1: Obed Favour.

Stated that the Defendant collected a loan facility of **₦5.1 million** and all processes have been served on the Defendant via Courier service by substituted means, evidence of service was received in evidence and marked as exhibit A¹

That the parties were friends beforehand and the claimant extended his good friendship by given **₦5.1 million** through the claimant company (Texa Company Limited). The account statement of the transfer was received in evidence and marked as exhibit B¹

That the Defendant commenced payment and stop on the 31/7/2020 with a check from Stanbic IBTC Bank which could not be cashed because it was an invalid check, same was received in Evidence and marked as exhibit A². Also that the Defendant is the MD of JDV Petroleum and Oil services Ltd.

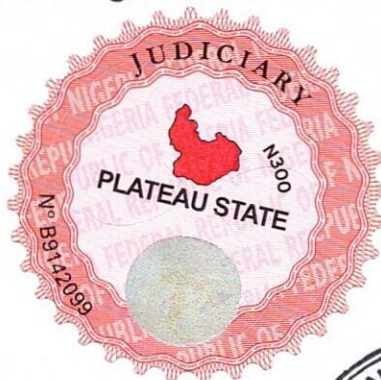
That a demand letter was written to the Defendant of his indebtedness dated 1/5/2020 same was received in evidence and marked as Exhibit A¹.

Throughout the proceeding the Defendant never appeared in court to either deny or controvert the claim of the claimant, despite several notices. It is trite law facts not controverted or denied are deemed admitted. Evidence of courier service was also received in evidence and marked as Exhibit B². Throughout the proceeding, the Defendant never appeared in Court to either deny or contravene the claim of the claimant despite several notices. It is trite law facts not contravened or denied are deemed admitted. The claimant has proved his case on the preponderance of evidence and Judgement is hereby entered in favour of the claimant on the following terms;

That the Defendant pays the sum of **₦2,786,570** to the Claimant forthwith, being money owned.

Also cost of **₦500,000** is awarded against the Defendant which covers interest and expenses from 2020 till date. All payment be made forthwith.

Obed Favour: We are grateful.




SIGNED
T.E GOTEPI
10/6/2024.

