

**IN THE DISTRICT COURT OF BAUCHI STATE**  
**(SMALL CLAIMS COURT)**  
**HOLDEN AT BAUCHI**

BEFORE HIS WORSHIP GARBA ABDULLAHI

**SUIT NO SCC/BH/01/2023**

**BETWEEN**

**MARIA DAUDA .....CLAIMANT**

**AND**

**MOHAMMED KABEER ABUBAKAR.....DEFENDANT**

JUDGEMENT DELIVERED ON 14/06/2023

Appearance

Claimant in court

Defendant in court



**INTRODUCTION**

The claimant filed this action against the defendant in accordance with Article 2 of district court law practice direction on small claims court NO 2 of 2022 Laws of Bauchi state.

A letter of demand was served on the defendant by the claimant as in form SCA 1 thereafter summons was served on the defendant and the matter was fixed for hearing.

**BRIEF FACTS OF THE CASE**

The claimant avers that, defendant came to her office and collected the sum of N100,000.00 as loan on condition that he will upset the loan with N30,000.00 interest within three months, and in default of payment the compounding interest accrued total N150,049 he refused to repay despite several demand by the

claimant. urged for the court to order the defendant to pay the principal sum with interest sum of N130,000.00 only, and compounding interest monthly accrued.

N5,500,00 only as cost of this action and N1000.00 only as damage.

During pre-trial conference the defendant admit liability but plea to settled the entire debt by installment and claimant accepted

## DECISION

Having gone through the processes fill & filed by both parties, therefore I formulate lone issue for determination thus: -

“WHETHER THE CLAIMANT IS ENTITLED TO JUDGMENT BASE ON THE ADMISSION OF THE DEFENDANT”

The law is settled which authority need not to be cited, to the effect that, claimant will obtain judgment if the imaginary scale tilt to his side through the evidence placed before the court. However, where the defendant admit the claim of the claimant need not to proof the issue before the court I refer myself to section 123 of the evidence act 2011 as amended which provide that: -

“No fact need to be proof in any civil proceeding which the parties to the proceeding or their agents agree to admit at the hearing, or which before the hearing, they agree to admit by any writing under their hand, or which by any rule or pleadings in force at the time they are deemed to have admitted by their pleadings....”

It is in evidence before the court that defendant admit the claim of the claimant, he requires not to prove any fact and I so hold Therefore and I hereby resolved this lone issue for determination in favor of the claimant against the defendant, judgment is hereby enter against the defendant as per the claimant claims in his originating process and grant all her reliefs as prayed





