

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

BEFORE HIS WORSHIP GARBA ABDULLAHI

SUIT NO SCC/BH/16/2023

BETWEEN

PREMIUM MICRO COMPANYCLAIMANT

AND

MUBARAK SALISU.....DEFENDANT

JUDGMENT DELIVERED ON 15/06/2023

Claimant – present in court

Defendant – present in court

INTRODUCTION

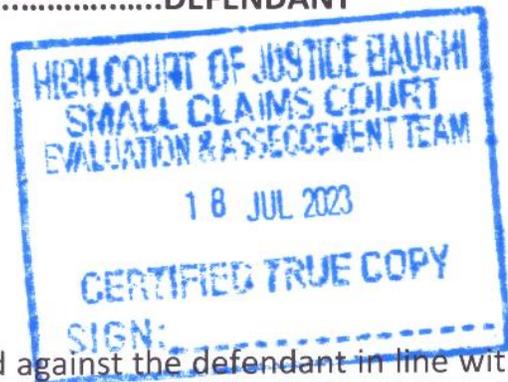
Claimant cause a writ of summons to be issued against the defendant in line with Article 2 of the practice directions of this Hon. Court N0 2 2o22, a letter of demand has been served on the defendant as in form SCA 1, but defendant did not respond.

This court fixed 15th day of June 2023 for hearing.

Brief facts of the case

The claimant aver that he bought a fruit to the defendant at the cost of N100,000.00 only on 16/12/22 on conditions that the defendant will upset the loan with interest of N30,000.00 by installment payment to the tune of N9,750,00.00 only every week for the period of 12 weeks.

Defendant paid the sum of N78,500.00 only now remaining balance of N38,500.00 only owing, thereafter he prays for the following reliefs: -



- A) An order against the defendant to pay the outstanding balance of N38,500.00
- B) An order against the defendant to pay the sum of N8,000.00 only as damage and cost of this action

DECISION

Claimant called one witness in person of Abubakar Yahaya Baba, who testify to the effect that, the claimant bought a fruit worth N100,00.00 only to the defendant as loan on condition that, the defendant will upset the loan with N30,000.00 interest by installment payment within 12 weeks, the sum of N9,750.00 only, weekly, but up to date there is remaining balance of N38,500.00 only unpaid despite the several demand to do so, therefore urged the court to order the defendant to settled the said remaining balance with cost and damage of N8,000.00 only while defendant admitted all the claims of the claimant.

It has been a long time practice which authorities need not to be cited to the effect that admitted facts require no further proof, the court will decide a matter base on the admission of the defendant as capsulated in section 123 of the evidence act 2011 as amended

In the light of the above I hereby enter judgment against the defendant in favor of Claimant as per his claim in originating process and grant all his reliefs as prayed

This case is decided today being 16/6/23 there is right of appeal to High Court Bauchi within 14 days by the aggrieved party

