

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

BEFORE HIS WORSHIP GARBA ABDULLAHI

SUIT NO SCC/BH/23/2023

**BETWEEN**

**EXCELLENT ACHIEVERS CO-OPERATIVE SOCIETY.... CLAIMANT**

**AND**

**YAHUZA HUSSAINI.....DEFENDANT**

CLAIMANTS –Absent in court

DEFENDANT – Present in court speaks Hausa language

J Z Kefas Esq for the Claimant

Babangida Ibrahim Affirmed to interpret



JUDGMENT DELIVERED ON 8/8/23

**INTRODUCTION**

This case brought pursuant to small claims court practice direction NO 2 of 2022, the claimants has fill and filed small claims Court forms SCA 2 & SCA 3 dated 26<sup>th</sup> day of July 2023, and the defendant were duly served with the process of this court as evidenced by affidavit of serviced dated 26<sup>th</sup> July 2023 deposed to by one Babangida Ibrahim a bailiff of this Court

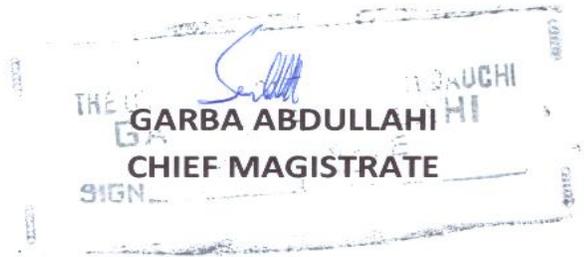
Before the commencement of hearing parties have amicably settled the matter out of court, consequent upon which they filed a terms of settlement dated 7<sup>th</sup> day of August 2023 duly sign by both parties and counsel to the Claimant in

presence of their witnesses, they adopt it and urged the court consider same and enter consent judgment as per the terms.

The law is trite that in order to have a consent judgment the parties must be ad idem as far as the agreement is concern, there consent must be free and voluntary and the terms of settlement must be filed, I refer myself to the case of Woluchem vs Wokama (1974) ALL NLR 54

In the light of the above and having gone through the content of the afore mentioned terms properly executed by the parties, therefore and I hereby upheld the submission of both parties and enter judgment as per the terms of settlement here attached against the parties

This case is decided today being 8/8/23

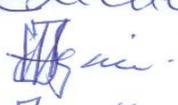


## TERMS OF SETTLEMENT

7<sup>th</sup>, July, 2023

This terms of settlement is executed between Excellent Achievers Multipurpose Coop. Society and Yehuda Hussaini, having admitted the claims of the claimants in the sum of #116,500, it is agreed as follows:

1. That the claimants have agreed to the ~~pay~~<sup>accept</sup>ment of the judgment sum at the end of every month commencing from August till final liquidation.
2. That the entire judgment sum of #116,500, shall be divided in three equal parts which is to be paid within the three months contemplated.
3. The payment shall be paid by the judgment debtor to the judgment creditors unfailingly and without remainder.
4. These terms is binding on all parties. And it shall be adopted as court judgment.

Yehuda Hussaini      ~~Bela Ibrahim~~      Excellent Achievers  
              
08132482762      081320065006124      Jonathan Daniel