

**IN THE DISTRICT COURT OF BAUCHI STATE
IN THE KATAGUM JUDICIAL DIVISION
HOLDEN AT SMALL CLAIMS COURTS NO. 1 AZARE**

SUIT NO: SCC/AZ/009/2025

BETWEEN

SHITU MUHAMMAD BABA..... CLAIMANT

AND

AHMAD LAMARA DEFENDANTS

Before his worship – **ABDULLAHI ADAMU SARKI**

Claimant is present in court.

Defendant is also present in court.

Usman Tata affirmed to interpret.

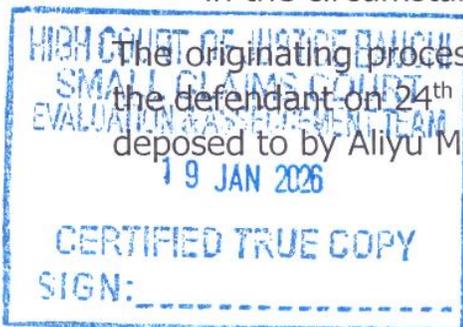


JUDGEMENT

This suit was filed by the claimant SHITU MUHAMMAD BABA against the defendant AHMAD LAMARA pursuant to small claims court practice direction No. 2 of 2022. Where he filed FORM SCA 2 and 3 on 23rd December, 2025 and filed same date, praying the court for the following orders against the Defendant.

1. **AN ORDER** of this honourable court directing the defendant to pay the claimant the sum of Four Hundred and Eighty Six Thousand Naira (N486,000.00) only being the total sum of money collected from the claimant by the defendant for the purpose of buying maize from Taraba State.
2. **AN ORDER** directing the defendant to pay additional sum of Fourteen Thousand Naira (N14,000.00) being the claimant share of profit, realize out of the business of maize selling.
3. And any other orders this honourable court may deemed fit to make in the circumstances.

The originating processes of this honourable court have been served on the defendant on 24th December, 2025 as disclosed by affidavit of service deposed to by Aliyu Mohammed Ali Sheriff of this honourable court.



The claimant averred that same time in the month of August, 2025, he gave the defendant the sum of Two Hundred and Thirty Six Thousand Naira (N236,000) for the purposes of buying maize from Taraba State to sale it in Azare to share the profit. And in the month of September, 2025, the defendant also asked for additional sum of (N250,000) from the claimant, for the purpose of buying rice with the view to sharing profit if the grains are sold in Azare.

The claimant also stated that the defendant has informed him that out of the profit realize, the claimant share is to the tune of N14,000 at the 1st trip.

The claimant also stated that he has made a series of demand to the defendant for the recovery of the sum of (N486,000) plus the profit shared to him which stood at N14,000 uptill this moment he has not been given a single kobo by the defendant.

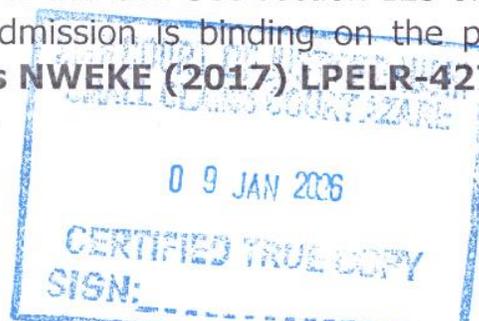
On the part of the defendant, the defendant made an oral admission, when given the opportunity to defend himself before this honourable court and has filled FORM SCA 5 to that effect.

Upon considering the claims of the claimant as contained in FORM SCA 2 and FORM SCA 5 which contained the admission made by the defendant. The court formulated a single issue for determination that is: -

"Whether the court can enter Judgement in favour of the claimant based solely on the defendant's admission of claims without requiring the claimant to prove his case"

On the single issue formulated for determination. It is a settled position of the law that a claimant in a civil suit must rely on the strength of his case, not the weakness of the defendant and a claimant case should not be decided based on the defendant failure to prove his case. See the case of **MOSES VS OGUNLABI (2018) LPELR-45311(CA), AFOLABI Vs ADEKUNLE (2017) LPELR-42051 (CA)**.

However, where a defendant made a clear and unequivocal admission covering all aspect of the claims against him, such admission need no further proof. This is a settled position of the law. See section 123 of the Evidence Act 2011. In Nigeria law, admission is binding on the party making it. See the case of **OKAFOR Vs NWEKE (2017) LPELR-42765 (CA)**. The court of appeals held that: -



"Establish admission can lead to judgement being entered". I refer myself to the case of **UAC Ltd Vs FASASI (2018) LPELR-44891 (CA)**.

It is on record that the defendant has made admission before this honourable court, admitting all the claimant claims and has filled FORM SCA 5 to that effect.

Flowing from the above, based on the admission made by the defendant and the authorities cited above the single issue formulated for determination is hereby resolved against the defendant and judgement is hereby entered in favour of the claimant, and I hereby make the following orders:

1. **AN ORDER** be and is hereby made directing the defendant to pay the claimant the sum of N486,000 being the total sum of money he collected from the claimant.
2. **AND ORDER** directing the defendant to pay the claimant the sum of N14,000 being the profit share of the claimant.

This case is decided on 8th January, 2025. There is right of appeals to High Court of Justice, Bauchi State within 14 days by any aggrieved party.


3/1/2026

ABDULLAHI ADAMU SARKI Esq.
SENIOR DISTRICT JUDGE I
8th January, 2026.

