

**IN THE PRINCIPAL DISTRICT COURT OF BAUCHI STATE  
IN THE KATAGUM JUDICIAL DIVISION  
HOLDEN AT SMALL CLAIMS COURT NO. III AZARE,**

**SUIT NO: SCC/III/AZ/004/2026**

**BETWEEN**

**ALHAJI UMAR SHEHU ..... CLAIMANT**

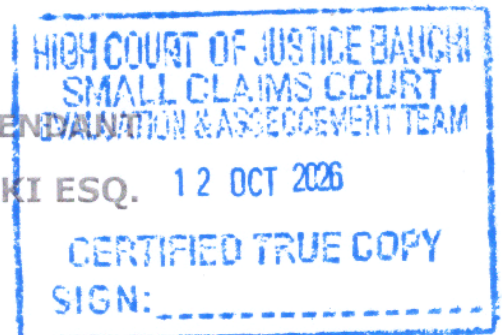
**AND**

**HARUNA KAKA ..... DEFENDANT**

Before His Worship **ABDULLAHI ADAMU SARKI ESQ.** 12 OCT 2026

**CLAIMANT:** Present before the court.

**DEFENDANT:** Present before the court.



Usman Tata affirmed to interpret the proceeding of this Hon. Court from English to Hausa and vice versa.

**JUDGEMENT**

This suit was filed by the claimant ALHAJI UMAR SHEHU against the defendant HARUNA KAKA pursuant to small claims court practice direction No. 2 of 2022, where the claimant filled FORM SCA 2 and FORM SCA 3 on 9<sup>th</sup> January, 2026 and filed same date, praying the court for the following orders against the defendant: -

1. **AN ORDER** of this Hon. Court directing the defendant to pay the claimant the sum of Forty Two Thousand Naira (N42,000) only, being the outstanding balance owed to the claimant.

The originating processes of this Hon. Court have been served on the defendant on 12<sup>th</sup> January, 2026 as disclosed by the affidavit of service deposed to by ALIYU MOHAMMED ALI, sheriff of this Hon. Court.

The claimant averred that sometime in the month of December, 2025. The defendant took guinea corn from the complainant worth seventy-seven Thousand Naira (N77,000) and paid the sum of Thirty Five Thousand Naira (N35,000) instantly, on the condition that the sum of Forty Two Thousand Naira (N42,000) would be paid after two (2) weeks.

The claimant also stated that after the agreed two weeks, the defendant refused to pay him back. After a series of demand made to him by the claimant that is why he is in court.

On the part of the defendant, the defendant made an oral admission in court, when given the opportunity to defend himself before this Hon. Court and has filled FORM SCA 5 to that effect and has made instant payment of the total sum claimed by the claimant.

Upon considering the claims of the claimant as contained in FORM SCA 2 and FORM SCA 5 which contained the admission made by defendant. This Hon. Court formulated a single issue for determination, that is;

***"Whether the court can enter judgment in favour of the claimant based on the defendant's claims without requiring the claimant to prove his case".***

On the issue formulated for determination, it is a settled position of our law that claimant in a civil suit must always succeed on the strength of his own case not on the weakness of the defendant's case.

I refer myself to the case of **ALHAJI ABDULLAHI JIAZA VS. ALHAJI ABUBAKAR BAMGBOYE & ANR (2015) LPELR – 24693 (SC)** and **EZE ANI & 4ORS VS. CHIEF OSONDU ANI & ANR (2016) LPELR – 41092 (SC)**.

However, in a monetary claims where defendant made an unequivocal admission in an open court, judgment can be entered against him.

In the case of **OKOTCHA VS. HERITAGE BANK (2010) 8 NWLR (pt. 1196) at 530 (CA)** the court of appeals held that; -

***"Judgment on admission for liquidated monetary claims based solely on admission is unassailable on appeal. Appellant cannot complaint that claimant did not prove strength of his case".***

In **OKPERE VS. OPARA (2013) LPELR – 20758 (CA)** and **ALAWIYE VS. OGUNSANYA (2013) 5 NWLR (pt. 1348) at 570**, it was also held by the court of appeals that;

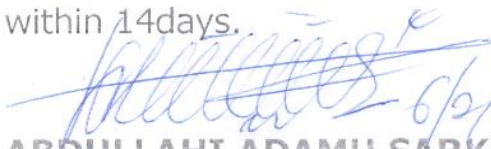
***"The principle that claimant must succeed on the strength of his own case does not apply to admitted facts".***

It is also a trite law that for monetary claims, judgment based solely on admission is safe". See the case of **OKOTCHA** cited above supra.

Going by the oral admission made by the defendant and the instant payment of the total sum claims against him, and in line with the authorities cited above. I hereby enter judgment in favour of the claimant against the defendant and make the following orders.

1. **AN ORDER** be and is hereby made directing the defendant to pay the claimant the sum of N42,000 being the total sum of outstanding balance owed to the claimant.
2. No order as to cost.

This case is decided on 6<sup>th</sup> February, 2026. A party who is not satisfied with this judgment has the right to appeals to High Court of Bauchi State within 14days.

  
ABDULLAHI ADAMU SARKI ESQ  
SENIOR DISTRICT JUDGE  
6<sup>TH</sup> FEBRUARY, 2026

HIGH COURT OF JUSTICE BAUCHI  
SMALL CLAIMS COURT  
JUDGE

DATE \_\_\_\_\_  
SIGN \_\_\_\_\_

