

**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/005/2026

BETWEEN

ALIYU MAGAJI CLAIMANT

AND

AUWAL USMAN DEFENDANT

Before His Worship **ABDULLAHI ADAMU SARKI ESO**

CLAIMANT: Present before the court.

DEFENDANT: Present before the court.

Usman Tata affirmed to interpret the proceeding



JUDGEMENT

This small claims court case was filed by the claimant **ALIYU MAGAJI** against the defendant **AUWAL USMAN** pursuant to small claims court practice direction No. 2 of 2022 by filling small claims court FORM SCA 2 and 3 dated 13th March, 2026 and filed same date, praying the court for the following orders.

1. **AN ORDER** of this Hon. Court directing the defendant to pay the claimant the total sum of Fifty Thousand Naira (N50,000) being the total sum paid to the defendant for the purpose of making two (2) windows' frame for the claimant.
2. **AN ORDER** to pay the sum of Ten Thousand Naira (N10,000) being a cost of action.

Processes of this Hon. Court have been duly served on the defendant as contained in the affidavit of service dated 18th March, 2026 deposed to by one **ALIYU MOHAMMED ALI**, sheriff of this Hon. Court.

The claimant stated that sometime in the month of September, 2025, he gave the total sum of Fifty Thousand Naira (N50,000) to the defendant (who is a welding fabricator) for the purpose of making two (2) pieces of windows' frames for the claimant.

The claimant also stated that for about seven (7) month, the defendant did not make the frame and did not pay the claimant his money back to him, after series of demand made by the claimant to that effect.

After service of the processes of this Hon. Court on 19th March, 2026, the defendant came to the registry of this Hon. Court and made an admission in respect of the claimant's claims against him and has filled FORM SCA 5 to that effect. The defendant also made full payment of the amount claimed against him (N50,000) plus Ten Thousand Naira (N10,000) cost filling this case making the total sum of Sixty Thousand Naira (N60,000).

On the date fixed for hearing parties, where both present before the court. Wherein the claimant acknowledges the receipt of the total sum of Sixty Thousand Naira (N60,000) from the registry of this Hon. Court being the total sum of money paid by the defendant.

It is a trite law that fact admitted need no further proof. See section 123 of the Evidence Act, 2011.

It is also trite that in a monetary claims where defendant made part-payment that is an admission of the whole debt. I refer myself to the case of **U.B.A VS. JARGABA (2007), NWLR (pt. 1045) at 247 (SC)**. The law is also trite that, the principle that claimant must succeed on strength of his own case does not apply to admitted facts. See the case of **ALAWIYE VS. OGUNSANYA (2013) 5 NWLR (pt. 1348) at 570 OKPERE VS. OPARA (2013) LPELR 20758 (CA)**.

Having taking into consideration, the admission made by the defendant in FORM SCA 5 and full-payment of the total sum claimed against the defendant plus the acknowledgement of same by the claimant, and the authorities cited above.

Judgment is hereby entered for the claimant and the following orders are hereby made.

1. **AN ORDER** be and is hereby made directing the defendant to pay the sum of Fifty Thousand Naira (N50,000) to the claimant being the total sum of money owed to the claimant by the defendant.
2. **AN ORDER** is also hereby made directing the defendant to pay the sum of Ten Thousand Naira (N10,000) to the claimant, cost of filing this action.

This case is decided today 27th February, 2026. There is right of appeals to High Court of Bauchi State within 14days by any part who is not satisfied with this judgment.


ABDULLAHI ADAMU
SENIOR DISTRICT JUDGE I
27TH FEBRUARY, 2026.

DATE _____
SIGN _____

