

**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/008/2026

BETWEEN

BUHARI MUHAMMAD CLAIMANT

AND

ALIYU MUHAMMAD BELLO DEFENDANT

Before His Worship **ABDULLAHI ADAMU SARKI ESQ.**

CLAIMANT: Present in court

DEFENDANT: Present in 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 BUHARI MUHAMMAD against the defendant ALIYU MUHAMMAD BELLO pursuant to small claims court practice direction No. 2 of 2022, wherein the claimant filled FORM SCA 2 and FORM SCA 3 on 6th September, 2026 and filed the 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 Nine Hundred and Eighty Thousand Naira (N980,000) being the total sum of money he collected from the claimant.
2. **AN ORDER** directing the defendant to pay the sum of Twenty Thousand Naira (N20,000) cost of filing this action.

The originating processes of this Hon. Court have been served on the defendant on 9th September, 2026 as disclosed by affidavit of service deposed to by ALIYU MOHAMMED ALI, sheriff of this Hon. Court.

The complainant stated that sometime in the month of December, 2022. He gave the defendant the total sum of Nine Hundred and Eighty Thousand Naira (N980,000) for the purpose of purchasing roselle flower

(Zobo). The claimant also stated that, the defendant did not buy a single sack, up till this moment. The claimant also stated that he has made a series of demand to the defendant for the return of his money back to him but it all failed. And up till the time of filing this case the defendant is still holding the claimant's money without a reasonable cause.

After service of the processes of this Hon. Court, the defendant made an admission in respect of all the claimant claims against him and has filled FORM SCA 5 to that effect.

On 15th September, 2026 the defendant came to the registry of this Hon. Court and paid the sum of Three Hundred Thousand Naira (N300,000) and undertook to pay the sum of Fifty Thousand Naira (N50,000) every month, starting from 30th September, 2026 until final liquidation of the outstanding balance which stood at Six Hundred and Eighty Thousand Naira (N680,000).

On the date fixed for hearing parties where both present before the court and the claimant has acknowledge the receipt of Three Hundred Thousand Naira (N300,000) from the registry of this Hon. Court being the sum of money paid by the defendant as part of the total sum claimed by the claimant.

After taking into consideration the claims of the claimant as in FORM SCA 2 and SCA 3, the admission made by the defendant in FORM SCA 5 and part-payment made by the defendant, this Hon. Court formulate a lone issue for determination.

"Whether this Hon. Court can enter judgment for the claimant based solely on the on the defendant's unequivocal admission for monetary claims".

It is a trite law that admission on FORM plus part-payment is unequivocal. I refer myself to the case of **ANON LODGE VS. MERCANTILE BANK (1990) 3 NINLR (pt. 134) at 353 (SC)**.

The law is also trite to the effect that facts admitted need no proof. See section 123 of the Evidence Act, 2011. In the case of **UBA VS. JARGABA (2007), NWLR (pt. 1045) at 247**. The Supreme Court held that:

"Part-payment is admission of whole debt".

In **OKPERE VS. OPARA (2013) LPELR – 20758 (CA)** it was held by the court of appeals that: -

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

It is also a settled position of the law that, admission on prescribed forms is unequivocal and clear, judgment entered solely on it is safe and cannot be set aside. And once admission is unequivocal in monetary claims, court has no discretion but to enter judgment on it. Judgment so-entered is valid and safe. See the case of **CHRISDON INDUSTRIAL CO. LTD VS. AIB LTD (2002) 8 NWLR (pt. 768) at 152 (SC)** and **OKOICHA VS. HERITAGE BANK (2010) 8 NWLR (pt. 1196) at 530.**

It is on record that the defendant has made admission admitting all the claimant's claims against him and has filled FORM SCA 5 to that effect.

And on 15th September, 2026 the defendant came to the registry of this Hon. Court made part-payment of Three Hundred Thousand Naira (N300,000). This Hon. Court has no option other than to act on same based on these. Therefore, the lone issue formulated is hereby resolved against the defendant in favour of the plaintiff and judgment is hereby entered for the claimant and I hereby make the following orders.

1. **AN ORDER** be and is hereby made directing the defendant to pay to the plaintiff the sum of Nine Hundred and Eighty Thousand Naira (N980,000) only being the total sum of money he collected from the claimant.
2. **AN ORDER** is hereby also made directing the defendant to pay the claimant the sum of Ten Thousand Naira (N10,000) being cost of filing this suit.

This case is decided today 2nd October, 2026. There is right of appeals within 14days to High Court of Bauchi State by any party who is not satisfied with this judgment.

HIGH COURT OF JUSTICE BAUCHI
SMALL CLAIMS COURT
JUDGE
2/10/2026
ABDULLAHI ADAMU SARKI ESQ.
DATE
SIGN
SENIOR DISTRICT COURT I
2nd OCTOBER, 2026.

