

**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/009/2026

BETWEEN

HAUWA YUNUSA CLAIMANT

AND

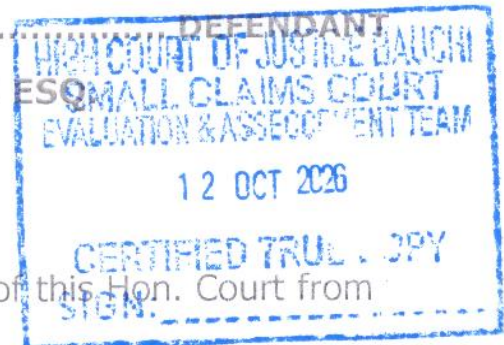
AISHA MUHAMMAD DEFENDANT

Before His Worship **ABDULLAHI ADAMU SARKI** ESQ

CLAIMANT: Present in 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 HAUWA YUNUSA against the defendant AISHA MUHAMMAD pursuant to small claims court practice direction No. 2 of 2022. Wherein the claimant filled FORM SCA 2 and FORM SCA 3 dated 8th September, 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 plaintiff the sum of One Hundred and Eighty Thousand Naira (N180,000) only, being the total sum of money owed to the claimant by the defendant.
2. **AN ORDER** directing the defendant to pay the sum of Ten Thousand Naira (N10,000) cost of filing this action.

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

The claimant averse that sometime in the month of June, 2026, the defendant collected a dried tomatoes from the claimant worth One Hundred and Eighty Thousand Naira (N180,000) only, on the condition

that the defendant will remit the said (N180,000) to the claimant after she has sale the goods.

The claimant also stated that it is up to three month now, the defendant did not give her any sum as earlier on agreed between the parties. The claimant also stated that she has made series of demand to the defendant in an effort to recover her money, it all failed to work.

The defendant made an oral admission when given the opportunity to defend herself, and has filled FORM SCA 5 to that effect. The defendant also paid the sum of One Hundred Thousand Naira (N100,000) to the claimant and undertook to pay the outstanding Eighty Thousand Naira (N80,000) on or before 30th September, 2026. The claimant has acknowledges the receipt of One Hundred Thousand Naira (N100,000) from the defendant.

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

"Whether the court can enter judgment in favour of the claimant in a monetary claims based solely on the defendant's admission of claims without the claimant leading evidence to prove her case"

It is a settled position of the law that, a claimant in a civil suit must always succeed on the strength of his own case, not the weakness of the defendant's case. I refer myself to the cases of **MOSES VS. OGUNLABI (2018) LPELR – 45311 (CA)**. **AFOLABI VS. ADEKUNLE (2017) LPELR – 42051 (CA)**.

However, where the defendant made an unequivocal admission covering all aspect of the claims against him, such admission need no further proof. See section 123 of the Evidence Act 2011.

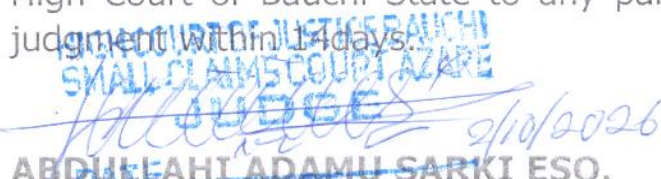
The law is trite that fact admitted need no further proof. Admission is conclusive of fact admitted. See the case of **EGBUNIKE VS. AFRICAN CONTINENTAL BANK LTD (1995) 2 NWLR (pt. 375) at 34 (SC)**. In **MULIMA VS. USMAN (2014) LPELR – 22611 (CA)**, it was held that:

***"Admission are divided into formal (pleading) and informal.
Both if unequivocal can ground judgment".***

In view of the foregoing, therefore, the single issue formulated is hereby resolved in favour of the claimant against the defendant and I hereby enter judgment for the claimant and the following orders are hereby made: -

1. **AN ORDER** be and is hereby made directing the defendant to pay the claimant the sum of One Hundred and Eighty Thousand Naira (N180,000) being the total sum of money for the goods she took from the claimant.
2. **AN ORDER** directing the defendant to pay the claimant the sum of Ten Thousand Naira (N10,000) only, cost of filing this action.

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


ABDULAH ADAMU SARKI ESQ.
SENIOR DISTRICT JUDGE I
2ND OCTOBER, 2026

