

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

SUIT NO SCC/BH/51/2023

Before His Worship- GARBA ABDULLAHI

BETWEEN

1.MUSA DALHATU

2.TRUSTEE OF ABDULLAHI ACADEMY..... CLAIMANT

AND

KARIMATU TOPWE.....DEFENDANT

CLAIMANT –Absent

DEFENDANT – Present speaks English language



JUDGEMENT

This case brought pursuant to small claims court practice direction NO 2 of 2022, the claimants has fill and filed small claims Court forms SCA 2 & SCA 3 dated 8th day of September 2023, and the defendant has been duly served with the process of this court as evidenced by affidavit of serviced dated 11th September, 2023 deposed to by one Abdussalam Abdullahi a bailiff of this Court.

Before the commencement of hearing parties have amicably settled the matter out of court, consequent upon which they filed a terms of settlement dated 14nd day of September 2023 duly sign voluntarily by both parties in presence of their witnesses, adopt it and urged the court to enter consent judgment as per the terms.

The law is trite that in order to have a consent judgment the parties must be ad idem as far as the agreement is concern, there consent must be free and voluntary

and the terms of settlement must be filed, I refer myself to the case of Woluchem Vs Wokama (1974) ALL NLR 54.

In the light of the above and having gone through the content of the terms dated 14th day of September 2023 properly executed by the parties, therefore and I hereby upheld the submission of both parties, accordingly enter judgment as per the terms of settlement here attached against the parties.

This case is decided today being 21/9/23



**IN THE DISTRICT COURT OF BAUCHI
IN THE SMALL/CLAIMS COURT ONE BAUCHI STATE
HOLDEN AT BAUCHI**

Suit No: SCC/BA/51/2023

BETWEEN

1. Musa Dalhatu
2. Trustee of Ahlullahi Academy

AND

Karimatu Topwe

TERMS OF SETTLEMENT

The claimant claimed against the defendant that the sum of **Two Hundred and fifty-five thousand one hundred naira (N255,100.00)** while the defendant is admitting **One hundred and fifty thousand naira (N150,000.00)** but when the court *Explore The Parties* for settlement, the parties have settled amicably.

THUS:

1. That the defendant shall pay the claimant the total sum of **N220,000.00** in five instalments as total set-up of the debt.
2. That the defendants shall pay the sum of **N50,000.00** to the claimant *by* the ending of September, 2023 and also pay the sum of **N50,000.00** to the claimant on or before 31st October, 2023.
3. That the defendant shall pay the sum of **N40,000.00** to the claimant by ending of every month until final liquidation.
4. That the parties shall bear their respective coast.
5. That the parties further agreed that the fairness stated herein be made the judgment of this honourable court.

DATED THIS 14th DAY OF September 2023

Musa Dalhatu
14/9/23
CLAIMANT

Karimatu Topwe
14/9/2023
DEFENDANT

WITNESSES

- | | |
|---|---|
| 1. Name: <u><i>Babangida Ibrahim</i></u> | 2. Name: <u><i>Abdulsalam Abdullahi</i></u> |
| Signature: <u><i>[Signature]</i></u> | Signature: <u><i>[Signature]</i></u> <i>14/9/23</i> |
| 3. Name: <u><i>Prince Abdulkazim Shittu</i></u> | 4. Name: <u><i>Ugatah Abdulhadi Balayo</i></u> |
| Signature: <u><i>[Signature]</i></u> <i>14/9/23</i> | Signature: <u><i>[Signature]</i></u> <i>14/9/23</i> |