

**IN THE DISTRICT COURT OF BAUCHI STATE
IN THE BAUCHI JUDICIAL DIVISION
HOLDEN AT SMALL CLAIMS COURT NO 1. BAUCHI
SUIT NO SCC/BH/82/2023**

Before His Worship- GARBA ABDULLAHI

BETWEEN

OKPALAEKE CHINONSO..... CLAIMANT

AND

SHAMSU AYUBA.....DEFENDANT

CLAIMANT –Absent

DEFENDANT – ABSENT



JUDGEMENT

INTRODUCTION

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 3rd day of October 2023, and the defendant were duly served with the process of this court as evidenced by affidavit of service dated 4th October, 2023 deposited to by one Abdussalam Abdullahi a sheriff 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 6th day of October, 2023 duly sign by both parties in presence of learned counsel to claimant, adopt it and urged the court consider same and enter consent Judgment as per the terms.

After hearing the submissions of both parties and having gone through the content of the afore mentioned terms properly executed by the parties, therefore and I hereby upheld the submission of both parties and enter judgment as per the terms of settlement dated 6th October 2023 here attached against the parties

This case is decided today being 12/10/23

HIGH COURT OF JUSTICE BAUCHI
SMALL CLAIMS COURT
EVALUATED
16 OCT 2023
CERTIFIED
SIGN: *[Signature]*

[Signature]
GARBA ABDULLAHI
CHIEF MAGISTRATE
THE THEC
C. BA
SIGN

IN THE PRINCIPAL DISTRICT COURT OF BAUCHI STATE
IN THE SMALL CLAIMS COURT
HOLDEN AT BAUCHI

SUIT NO: SCC/BH/82/2023

BETWEEN

OKPALAEKE CHINONSO ----- CLAIMANT

AND

SHAMSU AYUBA ----- DEFENDANT

TERMS OF SETTLEMENT

The Claimant filed this action before this Hon. court against the Defendant seeking the following reliefs:

1. The sum of **₦855, 230,000.00** (Eight Hundred and Fifty-Five Thousand, Two Hundred and Thirty Naira) only being the balance of various Lubricants and Oil Filters Purchased by the Defendant from the Claimant on credit.
2. The sum of **₦100,000.00** (One Hundred Thousand Naira Naira) only being general damages, loss of earnings and cost of action
3. The sum of **₦4,000.00** (Four Thousand Naira) only being Court Fees.

Upon service of the Claimant's claim on the Defendant, the Defendant admitted all the claim vide Form SCA 5 dated 3rd October 2023 duly filed before this Hon. Court and consequently sought to settle the debt instalmentally.

At this point, parties agreed to settle the matter out of court and terms of settlement be filed before this Hon. court.

IT IS NOW AGREED BY BOTH THE CLAIMANT AND THE DEFENDANT AS FOLLOWS:

1. That the Defendant shall pay the Claimant the total sum of **₦959,230.00** (Nine Hundred and Fifty-Nine Thousand, Two Hundred and Thirty Naira) only consisting of the balance of the various Lubricants and Oil Filters bought on credit, general damages, loss of earning, cost of action and Court fees by instalments.
2. The Defendant shall pay the Claimant the sum of **₦100,000.00** (One Hundred Thousand Naira) only on/or before the last day of every month commencing from October 2023 until the final satisfaction of the sum of **₦959,230.00** (due sum) encapsulated in paragraph 1 above.

3. That the Defendant shall make every payment to the account below:

Account No. **2227098837**
Bank: United **Bank for Africa (UBA)**
Account Name: **Gabriel Kingsley**

4. That where on the last day of a particular month, the Defendant is in default or short of any amount to complete the sum of **N100,000.00** for the particular month, the balance of the entire due sum left unpaid shall in its entirety become due for execution.

Dated this 6th day of October, 2023



CLAIMANT



DEFENDANT

The foregoing having been read over and interpreted to the Defendant by Babangida Ibrahim from English language to Hausa and vice-versa until he seemed to have perfectly understood same before affixing his signature/thumb



(Interpreter)



Kingsley Gabriel, Esq.
Claimant's Counsel