

IN THE DISTRICT COURT OF BAUCHI STATE
(SMALL CLAIMS COURT)
HOLDEN AT BAUCHI

BEFORE HIS WORSHIP GARBA ABDULLAHI

SUIT NO SCC/BH/03/2023

BETWEEN

MARIA DAUDA CLAIMANT

AND

BUBA K. SAMUEL..... DEFENDANT

JUDGEMENT DELIVERED ON 23/06/2023

Claimant- Present in court

Defendant – present in court



INTRODUCTION

This matter brought before this Hon. Court in line with practice direction on small claims court NO 2 2022 laws of Bauchi state, where in a letter of demand was issued and served on the defendant in line with article 2 (1) (e) of this court practice direction, thereafter writ of summons was issued and served on the defendant as in form SCA 3 and the matter adjourned to 23/6/23 for hearing.

Brief facts of the case

The claimant avers that, she gave the sum of N40,000.00 only to defendant with an interest of 20% to be upset in 3 months on condition that compounding interest will be accrued in default

Defendant defaulted to repay the loan for seven months, therefore approach this court and pray for the court to order the defendant to pay the sum of N77,948 as the principal amount and the interest.

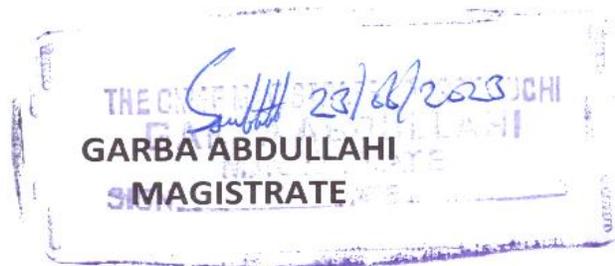
During pretrial conference the parties settled amicably they filed a terms of settlement on 23/6/23 and urged the court to adopt same and enter a consent judgment against the defendant

DECISION

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 (19740 ALL NLR 545

It is obvious that the parties have settled the matter amicably between themselves, voluntarily filed the terms of settlement on 23/6/23 duly signed by both parties in present of witnesses and adopt same, urge the court to consider it as its consent judgement, therefore and I hereby adopt the terms of settlement duly signed by both parties in present of their witnesses on 23/6/23 and filed on the same date as consent judgement of this court

This case is decided today being 16/6/23





TERMS OF SETTLEMENT

MARIA DAUDON (BRANCH MANAGER,
VS
BURBA K. SAMUEL.

The above mentioned case before the -
Small claims court no 1 (SCC) Baudin do hereby
amicably settled and agreed to be bound the
underlistal terms of settlement:-

- 1- That the principal amount collected is ~~40,000~~
- 2- That the interest is 20% which is payable ~~monthly~~ in 3 month instalments
- 3- That there is interest accrued in default of payment
- 4- That the dependant defaulted for (7) months
- 5- That the dependant agreed to pay ~~with~~ all the claimant claims of ~~77,948~~ as principal amount, and ~~6,000~~ cost of action, which the total amount is ~~83,948~~aira only.

CLAIMANT

Maria Daudon

~~23/6/2023~~

IN PRESENT OF WITNESS

Abdulrahman Abdulrahman

~~23/06/2023~~



DEFENDANT

BURBA K. SAMUEL

~~23/6/2023~~

IN PRESENT OF WITNESS

BARBARA K. SAMUEL

~~23/6/23~~