

IN THE DISTRICT COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
F.C.T SMALL CLAIMS COURT

HOLDEN AT COURT 13(A) WUSE ZONE 2 ABUJA
BEFORE YOUR WORSHIP: ARIWOOLA, OLUWAKEMI V.
DATED THIS THE 17TH DAY OF NOVEMBER, 2023.

SUIT NO: SCC/08/2022

BETWEEN:

STERLING BANK PLC CLAIMANT

(Sterling Plaza Plot 1083 Mohammadu Buhari Way, Central Business District Abuja, FCT)

AND

CHIAGORAM AZUMA DEFENDANT

(Beside Redeemed Christian Church Apo, Dutse Abuja)

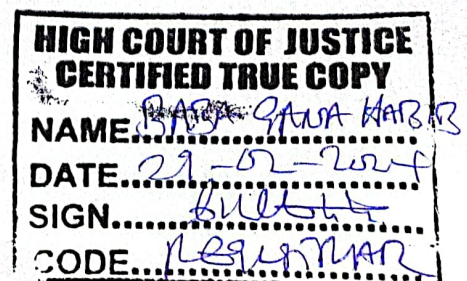
RECORD OF PROCEEDING/JUDGMENT

The Claimant's claim before the Court is the claim for the sum of **₦2, 843,329.94k (Two Million, Eight Hundred and Forty-Three Thousand, Three Hundred and Twenty-Nine Naira, Ninety-Four Kobo) only.**

COURT: Appearances.

OLUCHI OBETA for the Claimant.

COURT: The Defendant is not in Court and not represented.

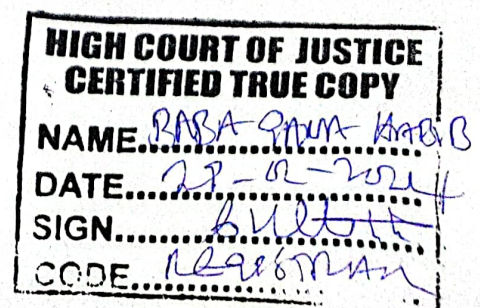


CLAIMANT COUNSEL: Matter is slated for Hearing, and we are ready to move our application.

CLAIMANT COUNSEL: We have an application for Undefended Claim brought under **Article 3(1) (2)** of the DCA Small Claims Court Practice Direction on Small Claims 2022. We have **formed SCA 3A** supported by seven paragraph affidavits deposed to by Marta Eze. We adopt all the paragraphs of the affidavit. This is an Undefended Claim; we urge Your Worship to enter judgment in favour of the Claimant as per our endorsement in the claims and in line with **9(2)** of DCA Practice Direction on Small Clams 2022. This is our humble application, may it please the Court.

COURT: This Suit was instituted under Article 3 of the DC Practice Direction on Small Claims 2022 and the Claimant issued out **form SCA 3A** for Undefended Claims and same was served on the Defendant Via substituted service on 7th November, 2023 and going by **Article 7(2)** the Defendant is expected to have filed within seven days of service of **form SCA 3A** file in response to **form SCA 3B** to the said claim of the Claimant.

The position of the law is that where averments contained in an affidavit are not challenged or denied by way of Counter Affidavit or reply affidavit as the case may be such averments are deemed admitted by the adverse Party. In this present circumstance of this case of liquidated money demand sum, the Defendant has failed to respond within the stipulated time prescribed by the Practice Direction.



And this Court having been satisfied that the Claimant has demanded for the sum of **₦683, 948.19 (Six Hundred and Eighty-Three Thousand, Nine Hundred and Forty-Eight Naira. Nineteen Kobo) only** from the Defendant as contained in the affidavit in support of **form SC3A** and that the Defendant has been duly served with all the Processes of this Court but has neglected and failed to reply to same.

In all I find merit in the averments of the Claimant consequently, the claim for the sum of **₦683, 948.19 (Six Hundred and Eighty-Three Thousand, Nine Hundred and Forty-Eight Naira. Nineteen Kobo) only** against the Defendant hereby succeeds.

The Defendant is hereby to immediately pay the sum of **₦683, 948.19 (Six Hundred and Eighty-Three Thousand, Nine Hundred and Forty-Eight Naira. Nineteen Kobo) only** forthwith to the Claimant being the debt owed.

This is the Judgment of the Court.

SIGNED:

ARIWOOLA, OLUWAKEMI V.

DISTRICT JUDGE

DATE: 17/11/2023

