

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION

HOLDEN AT APO

CLERK: CHARITY

COURT NO. 16

SUIT NO: FCT/HC/CV/2032/17

DATE:23/01/2020

BETWEEN

AMA REAL ESTATE LIMITED..... PLAINTIFF

AND

MS DEBBLE NICOL..... DEFENDANT

JUDGMENT

(DELIVERED BY HON. JUSTICE S. B. BELGORE)

In this case wherein the plaintiff, Ama Real Estate Ltd, claims *inter alia* against the defendant, MS Debble Nicol, a declaration that the plaintiff is entitled to Vacant possession of the 3 bed room + maisonette with one room servant quarters known and situate at No 4, Mohammed Yahaya close Katampe extension Abuja.

On 31-1-18, the plaintiff started leading evidence in prove of their case wherein one Ikechukwu Onoje of I, Beira

Crescent Wuse gave evidence during examination in chief. Exhibit A,B,C & D were admitted in evidence through him.

It was at that junction that we adjourned to 26-3-18 to enable the PW1,conclude his evidence.

On 26-3-18, the learned counsel to the defendant,Veronica M.Bisau who held the brief of Anthony Erogs informed the court that they are desirous of settlement out of court.

The learned counsel to the plaintiff, Chukalloge who came with his witness agreed with the settlement out of court and we consequently adjourned the case to 31-5-18 to enable the parties reach terms of settlement.

Subsequently, the court was engaged in election petition matter and could not sit in court until this morning.

A few minutes ago, both counsel for the parties informed the court that they have settled and also filed terms of settlement which is dated 22-5-19 & filed same day.

The two learned counsel took turn in urging to adopt the terms of settlement as the judgment of this court.

I have perused the content of the term of settlement filed by both parties. It is signed by both the plaintiff and the defendant and signed by their respective counsel.

The terms agreed toin the main reads:

- (1) The total amount payable to the defendant by plaintiff is ₦8,100,000(Eight Million, One Hundred Thousand Naira) only.
- (2) Pursuant to (1) above only one million Naira (₦1,000,000) was paid on 25-3-19 and plaintiff had acknowledged receipt of payment.
- (3) The remaining balance of ₦7,100,000(Seven Million One Hundred Naira)only shall be paid instalmental at the rate of ₦500,000 monthly. And that the next payment be due at the end of May,2019.
- (4) The Defendant shall vacate & give up vacant possession of the premises on/or before 30th September 2019.

I hereby give effect to entire terms of settlement as filed, signed both parties & counsel and adopt same as counsel judgment of this court.

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Suleiman Belgore
(Judge) 23-1-2020