

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY IN THE ABUJA JUDICIAL DIVISION HOLDING AT MAITAMA BEFORE HIS LORDSHIP: HON. JUSTICE H. B. YUSUF



SUIT NO: FCT/HC/CV/981/2020

BETWEEN:

1. MRS. NGOZI IFEANYICHUKWU	
2. AVM. EJEH EMMANUEL	

).....CLAIMANTS

AND

1. NUHU NOAH DANLLAJI 2. LARRY OGI NWAERI

.....DEFENDANTS

JUDGMENT

On the 4th of February, 2020 the Claimants filed a Writ of Summons under the Undefended List, praying this Honourable Court for the following reliefs:

(a) The sum of N60, 000, 000. 00 (Sixty Million Naira) being the sum owed the Claimants by the Defendants.

(b) The cost of this suit.

I have read the averments in the affidavit in support of the notice of intention to defend this suit on the merit, sworn to by the 1st Defendant and made up of 15-paragraphs.

The Defendants have essentially admitted indebtedness of N25, 000, 000. 00 (Twenty Five Million Naira) to the Claimants to which

according to them N11, 000, 000. 00 (Eleven Million Naira) had been paid. This leaves the balance of the amount admitted by the 1st Defendant at N14, 000, 000. 00 (Fourteen Million Naira). The law is trite, that what is admitted does not need proof.

On the basis of this position of law, the sum of N14, 000, 000. 00 (Fourteen Million Naira) is hereby entered as Judgment against the 1st Defendant to be paid to the Plaintiffs forthwith.

The law with respect to a claim filed under Undefended List, is that if a defence is filed and the Court is satisfied that there is some merit, then the case would be transferred to the general cause list for hearing and determination. In the affidavit in support of notice of intention to defend filed by the Defendants, the claim of N60, 000, 000. 00 (Sixty Million Naira) has been denied, necessitating the Claimants to explain the basis for their claim.

Accordingly, I am satisfied with the defence put up and I hereby transferred the claims in respect of the balance to the general cause list for the parties to file pleadings.

Signed Hon. Justice H. B. Yusuf (Presiding Judge) 01/07/2020