

**IN THE HIGH COURT OF JUSTICE OF THE  
FEDERAL CAPITAL TERRITORY ABUJA  
IN THE ABUJA JUDICIAL DIVISION  
HOLDEN AT JABI - ABUJA**

**BEFORE: HON. JUSTICE O. C. AGBAZA**

**COURT CLERKS: UKONU KALU & GODSPower EBAHOR**

**COURT NO: 10**

**SUIT NO: FCT/HC/CV/346/19**

**BETWEEN:**

**MR. ANTHONY UBAH**

(Suing As Lawful Attorney of Col John I.PUbah(RTD)).....**CLAIMANT**

**VS**

**MR. ONYEKA OBINWA.....DEFENDANT**

**CONSENT JUDGMENT**

This Suit was filed on 18/4/2019 by the Claimant praying for the reliefs sought. After Preliminary application taken and granted by the court the parties by their own resolution, agreed to settle their dispute out of court, consequent upon that they filed Terms of Settlement dated 19/8/2020 and the Claimant Counsel adopting the said Terms of Settlement urge the court to enter it as Consent Judgment of the parties and this was not opposed by the Defendant Counsel. Accordingly, in the interest of justice, I hereby enter the Terms of Settlement dated 19/8/2020 and filed same day, as the Consent Judgment in this suit. I so Order.

**MEMORANDUM OF TERMS OF SETTLEMENT**

**WHEREFORE** the Plaintiff Claims against the Defendant as follows:

- (1) A Declaration that the Tenancy of the Defendant had expired since the 29<sup>th</sup> of November, 2018.
- (2) An Order directing the Defendant to immediately vacate the property and give up possession of the demised premises located at No. 6 Ikole Street, Area 11, Garki, Abuja forthwith.
- (3) An Order directing the Defendant to pay the Mesne Profit of ₦500,000.00 (Five Hundred Thousand Naira) per month from 30<sup>th</sup> November 2018 until possession is delivered to the Claimant.
- (4) Cost of instituting this suit and Legal Practitioners fee of ₦2,500,000.00 (Two Million, Five Hundred Thousand Naira) only.

**AND WHEREAS** parties hereby resolve as follows:

- (1) The Claimant shall forego all the monies owed him by the Defendant as rent and the Defendant has agreed to vacate the premises located at No. 6 Ikole Street, Area 11, Garki Abuja, within 2 (Two) Months, Commencing from the day this settlement is signed.
- (2) If the Defendant fails to vacate the premises and return possession to the Claimant within 2 (Two) Months as agreed above, the Defendant will pay the ₦12,000,000.00 (Twelve Million Naira) rent currently due to the Claimant and the Claimant shall enforce same as judgment of this court.

**THAT IT IS AGREED AS FOLLOWS:**

That these terms be and are hereby adopted as the settlement of parties and it be entered as Consent Judgment of the parties in this suit.

DATED this 19<sup>th</sup> day of August 2020-10-20

**HON. JUSTICE O. C. AGBAZA**

Presiding Judge

7/10/2020

OKWUDILI ABANUM, ESQ FOR CLAIMANT

ESTHER UZOMA, ESQ FOR THE DEFENDANT

