

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY,  
IN THE ABUJA JUDICIAL DIVISION,  
HOLDEN AT COURT NO. 11 BWARI, ABUJA.  
BEFORE HIS LORDSHIP: HON. JUSTICE O. A. MUSA.  
SUIT NO: FCT/HC/BW/CV/106/2021**

**BETWEEN:**

NWABUEZE DESMOND OBINNA --- CLAIMANT/APPLICANT

**AND**

1. ZOE NEW DAWN NIGERIA LTD  
2. MR AKPAACHEMA STEPHEN -- DEFENDANTS/RESPONDENTS

**AND**

1. ACCESS BANK PLC  
2. ASO SAVINGS & LOANS PLC  
3. CITIBANK NIGERIA LTD  
4. ECOBANK NIGERIA PLC  
5. FIDELITY BANK PLC  
6. FIRST BANK OF NIGERIA LIMITED  
7. FIRST CITY MONUMENT BANK PLC  
8. GUARANTY TRUST BANK PLC  
9. HERITAGE BANK PLC  
10. KEYSTONE BANK LIM TED  
11. POLARIS BANK LIMIT ED  
12. STANBIC IBTC BANK PLC  
13. STANDARD CHARTERED BANK  
14. STERLING BANK  
15. SUNTRUST BANK NIGERIA LTD  
16. UNITED BANK FOR AFRICA  
17. UNION BANK PLC  
18. UNITY BANK PLC  
19. WEMA BANK  
20. ZENITH BANK

RESPONDENTS

**CONSENT JUDGMENT**  
**DELIVERED ON THE 12<sup>TH</sup> JULY, 2021**

By a writ of summons dated and filed on the 22<sup>nd</sup> day of March, 2021, the claimant commenced this suit against the defendants, claiming jointly and severally the following reliefs:

1. The sum of ~~N~~38, 500 000.00 (Thirty Eight Million, and Five Hundred Thousand Naira) being money had and received by the defendants paid as deposit by the claimant for a 4-bedroom terrace duplex with boys' quarter, known as 4<sup>th</sup> house, sky heaven, the possession of which was never delivered to the claimant.
2. The sum of ~~N~~20, 000,000.00 (Twenty Million Naira) being money had and received by the defendants paid as deposit by the claimant in respect of the property known as block d14, flat 4, zone 5, athletics street, games village, FCT, Abuja, the possession of which was never delivered to the claimant.
3. The sum of ~~N~~7, 118,000.00 (Seven Million, One Hundred and Eighteen Thousand Naira) being the worth of goods supplied by the claimant to the defendants as consideration had and received to complete the purchase price of the property known as block D14, flat 4, zone 5, athletics street, games village, FCT, Abuja, the possession of which was never delivered to the claimant.

4. The Sum Of ~~₦~~65, 618, 500.00 (Sixty Five Million, Six Hundred And Eighteen Thousand Naira) Representing The Total Sums Of Reliefs (1), (2) And (3) Above Being The Total Sum Paid By The Claimant To The Defendants As Purchase Price For Property known as block D14, flat zone, athletics street, games village, FCT, Abuja of which possession of either was never delivered to the claimant.
5. Ten percent (10%) post judgment interest from the date of judgment till the date of final liquidation of the Judgment sum.
6. Cost of this action, ~~₦~~3, 000, 000.00 (Three Million Naira Only).

**NOW PARTIES AGREE AS FOLLOWS:**

The parties in this suit have decided to resolve their dispute amicably by agreeing on the terms below thus;

1. The defendants, in paying the total sum of ~~₦~~65,618,000.00 (Sixty Five Million, Six Hundred and Eighteen Thousand Naira Only) representing the total sums of reliefs (1), (2) and (3) in the suit had paid the sum of ~~₦~~10,000,000.00 (Ten Million Naira) to the claimant, the receipt of which the claimant hereby acknowledges.
2. The defendants agreed to pay and shall pay the sum of ~~₦~~16, 000,000.00 (Sixteen Million Naira) to the claimant on or before the signing and execution of this terms of settlement.

3. The defendants shall pay the balance sum of ₦39,618,000.00 (Thirty Nine Million, Six Hundred and Eighteen Thousand Naira Only) on or before 12<sup>th</sup> day of October, 2021 , being the next adjourned date in this suit.

The terms of settlement reached between the parties and filed in court, is hereby adopted as the consent Judgment of the court which is date 12<sup>th</sup> July, 2021.

All the Garnishee in this matter are hereby discharged accordingly. I so hold.

**APPEARANCE**

C. Prince Esq. for the claimant

F. U. Okolo Esq. for the 1<sup>st</sup> & 2<sup>nd</sup> defendants.

Sign

Hon. Judge

12/07/2021