

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY**

**IN THE ABUJA JUDICIAL DIVISION**

**HOLDEN AT COURT 10, AREA 11, GARKI, ABUJA**

**BEFORE HIS LORDSHIP: HON. JUSTICE S. B. BELGORE**

**SUIT NO. FCT/HC/CV/1254/2024**

**DATE: 20/5/2024**

**B E T W E E N**

**JAMILU ABDUSSALAM**

}

**CLAIMANT**

**AND**

**CONSTRIX REAL ESTATE DEVELOPMENT**

}

**DEFENDANT**

**J U D G M E N T**

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

By the writ of summons filed on the 15<sup>th</sup> February, 2024, the Claimant claims against the Defendants as follows;

- a) A Declaration that the Claimant is entitled to the immediate possession and ownership of a 4 Bedroom Condo Apartment situate at Plot No. 97 Cadastral Zone B15 Section Centre A, Mabushi District, Abuja which is covered by the Provisional letter of allocation dated 14<sup>th</sup> August, 2023.

- b) An Order directing the Defendant Company to immediately process and issue to the Claimant all necessary title documents relating to the property known as 4 Bedroom Condo Apartment situate at Plot No. 97 Cadastral Zone B15 Section Centre A., Mabushi District, Abuja which is covered by the Provisional letter of allocation dated 14<sup>th</sup> August, 2023.
- c) An Order of this Honourable Court directing the Defendant to immediately pay to the Claimant the sum of ~~N~~20,000,000.00 (Twenty Million Naira) only being the outstanding sum he is entitled as severance fee both the Claimant and the Defendant agreed to paid on or before 31<sup>st</sup> December, 2023 out of ~~N~~30,000,000.00 (Thirty Million Naira) only.
- d) Post Judgment interest at the rate of 10% from the date of Judgment is delivered until final liquidation.
- e) General damages in the sum of ~~N~~250,000,000.00 Two Hundred and Fifty Million Naira) only.
- f) ~~N~~5,000,000.00 (Five Million Naira) cost of filing and prosecuting this action.
- g) Such further order or orders as this Honourable Court may deem fit in the circumstances.

Before the hearing of the suit, the parties in the spirit of amicable settlement therefore opted out to settle the dispute in the case amicably and the following terms are hereby agreed upon by the parties viz:

The Terms of Settlement dated 9<sup>th</sup> May, 2024 filed same date and signed by both parties and their respective Counsel is hereby adopted as the Judgment of this Court.

1. That the Defendant has agreed and undertaken to pay to the Claimant the outstanding sum of N20,000,000.00 (Twenty Million Naira) only in two instalments.
2. The first instalment of N10,000,000.00 (Ten Million Naira) only shall be paid to the Claimant on or before the 30<sup>th</sup> June, 2024.
3. The second instalment of N10,000,000.00 (Ten Million Naira) only shall be paid to the Claimant on or before the 31<sup>st</sup> August, 2024.
4. The Defendant has vide a letter of allocation dated 22<sup>nd</sup> March, 2024, allocated a fully finished 4 Bedroom Condo known as Block C, Flat 2 at Plot No. 97 Cadastral Zone B15 Section Centre A, Mabushi District, Abuja to be handed over to the Claimant at the completion of the project.

5. Finally, parties agree that these terms of settlement shall be adopted as the Consent Judgment of this Honourable Court in this suit.

This is the Judgment of this Court.

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S. B. Belgore  
(Judge) 20/5/24

