



**IN THE HIGH COURT OF JUSTICE
IN THE FEDERAL CAPITAL TERRITORY, ABUJA
HOLDEN AT WUSE ZONE 2, ABUJA
BEFORE HON. JUSTICE NJIDEKA K. NWOSU-IHEME
FRIDAY, 11TH DECEMBER, 2023**

SUIT NO.: FCT/HC/CV/7306/2023

BETWEEN:

EIGBEFOH OSASENNAGA DUKE -----APPLICANT
(SUING THROUGH HIS GUARDIAN MADAM EGHOSA OSAGUONA)

AND

TURKISH AIRLINES ----- RESPONDENT

CONSENT JUDGEMENT

Having considered the Terms of Settlement filed 11/12/23 and adopted in this Court. I hereby enter same as Consent Judgement of this Court.

By an Originating Summons filed on 23 August, 2023, the Applicant commenced the instant suit against the Respondent herein seeking the following reliefs.

- a. A DECLARATION that a person who purchased an air ticket but could not travel on the date slated on the said ticket will be entitled to either a reissuance of another air ticket of the same kind, or a refund of the sum of money used for the purchase of the said ticket to the purchaser.
- b. A DECLARATION that a party to a contract is entitled to claim back money paid as consideration that has failed under the contract.

- c. A DECLARATION that the Respondent's refused to refund the money used for the purchase of the e-ticket no: **2356720041736** to the Applicant is illegal.
- d. AN ORDER of Court directing the Defendant to pay the Applicant the sum of N790,030.00(Seven Hundred and Ninety Thousand-Thirty-Six naira) to the Applicant, being the sum of money the Applicant used to purchase the e-ticket no:**2356720041736**from the Respondent.
- e. AN ORDER of Court directing the Defendant to pay the Applicant the sum of N20,000,000(Twenty Million Naira) as general damages.
- f. AN ORDER of Court directing the Defendant to pay the Applicant the sum of N500,000.00(Five Hundred Thousand Naira) as cost of litigation.
- g. AND any other Order(s) theHonourable Court may make in the circumstance of this case.

The parties have agreed to resolve the dispute, which is the subject matter of this case amicably.

IT IS HEREBY agreed as follows:

i. Upon the adoption of the terms of settlement, the Respondent will pay the Applicant, the Sum of #755,404.00 (Seven Hundred and Fifty-Five Thousand, Four Hundredand Four Naira) through the Bank account of the Applicant's Counsel with the following details.

Bank: Access

Account Name: Samson OsonduAbugu

Account No: 0028759936

ii. The Terms set out herein have been entered into by the parties without admission of any liability on the part of the Defendant.

iii. the Applicant hereby releases the Respondent from any claim, dispute, action, charge, obligation, complaint, rights, demands, debts, damages of whatever nature at Law or in Equity, known or unknown, asserted or not asserted, which they have now or may have in the future against the Respondent, based on any actions or events which occurred in connection to the subject matter of the dispute and this Terms of settlement.

iv. the Terms set herein shall be binding on the Parties.

APPEARANCE OF COUNSEL

CynthiaChukwu H. B of Samson OsonduAbugu for Claimant

O. H Ogundiran for Defendant