

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT MAITAMA-ABUJA
ON THE 5TH DAY OF JULY 2021

BEFORE HIS LORDSHIP HON. JUSTICE CHIZOBA N. OJI
PRESIDING JUDGE

SUIT NO: FCT/HC/CV/072/2021

BETWEEN:

D. T. HAM NIGERIA LIMITED

.....

CLAIMANT

AND

**NATIONAL PRIMARY HEALTH CARE
DEVELOPMENT AGENCY**

.....

DEFENDANT

APPEARANCES:

JEROME SAIKI ESQ FOR THE CLAIMANT/APPLICANT

JUDGMENT

The Claimant's writ of summons, statement of claim and other processes were filed on 14th January 2021. Therein the Claimant claimed against the Defendant as follows:-

"i. The sum of Nine Million, Three Hundred And Seventeen Thousand, Seven Hundred Naira (~~N~~9,317,700.00) only being the Defendant's indebtedness to the Claimant.

ii. The sum of Nine Hundred and Thirty One Thousand, Seven Hundred and Seventy Naira (~~N~~931,770.00) only being Claimant's Solicitor's fee for recovery of the debt owed by the Defendant.

iii. Cost of this suit."

The Claimant also filed a motion for summary judgment on 14th January 2021. The Defendant was served the originating processes and the motion for summary judgment on 18th March 2021 for their appearance in court today, 5th July 2021.

At the time of delivering this judgment, the Defendant had filed nothing in response to this suit and is absent without reason. Earlier on, upon the application of Mr Jerome Saiki for the Claimant/Applicant, this Honourable Court permitted him to move his motion for judgment.

Now, having considered the Claimant's originating processes and accompanying documents, the affidavit in support of the motion for judgment and the exhibits attached, and the written and oral submissions of learned counsel, I am satisfied that the Claimant has made out a case for summary judgement and that the Defendant has no defence to the claim.

Indeed the Defendant admitted owing the Claimant the sum of ~~N~~9,317,000. See Exhibit F attached to the affidavit in support of the motion for summary judgment.

Owing to the Defendant's failure/refusal to pay the said sum, the Claimant has incurred extra costs of solicitor's fees in the sum of ~~N~~931, 770.

Facts admitted need no proof.

Accordingly I grant the application and enter summary judgment for the Claimant/Applicant against the Defendant as follows:-

- i. The sum of ~~N~~9,317,000 being the debt owed by the Defendant to the Claimant.

- ii. ~~N~~931,770 as solicitor's fee
- iii. Costs of this suit which I assess at N20,000.

Hon. Judge