

IN THE DISTRICT COURT OF THE FEDERAL CAPITAL TERRITORY
HOLDEN AT WUSE ZONE II, FCT ABUJA (COURT 14)
BEFORE HIS WORSHIP: OLUMIDE BAMISILE

Dated this 20th day of November, 2023

SUIT NO: SC/07/2023

BETWEEN

STERLING BANK PLC

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CLAIMANT

VS

JUDITH OBI ADANMA

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DEFENDANT

Parties: Absent

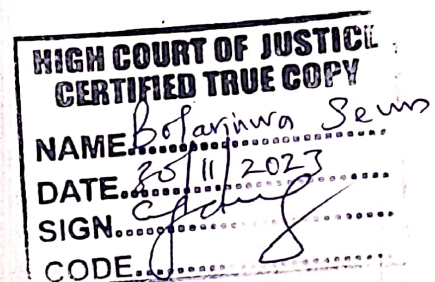
Appearances: Oluchi Obeta Esq for the claimant

Defendant not represented

JUDGMENT

Upon the defendant's failure to within 7 days file in opposition a defence to the sum of N1, 644, 560.04 claimed against her by the claimant in forms SCA 3A and SCA 3B which was served on her on the 8/11/2023. This court holds that the defendant has no defence to the sum claimed. The defendant by the provision of Article 7 paragraph 2 of the Small Claims Practice Direction, 2022 is expected to within 7 days file in defence form SCA 5 and SCA 5A but in the present circumstance, she neglected to do same.

This Small Claims procedure which is for recovery of liquidated money demand is one which is basically determined by affidavit evidence and the position of the law is that where averments contained in an affidavit are not challenged or denied by way of counter affidavit or reply affidavit, such averments are deemed admitted by the party against whom they are averred and the court is at liberty to rely on same as the true state of facts. See SUBERU & ANOR v. AFRICAN CONTINENTAL BANK & ORS (2002) LPELR-12207(CA).



In the present circumstance, this court has carefully perused and examined the unchallenged affidavit evidence of the claimant before the court and the letter of demand annexed to same. This court is as such satisfied that the claimant has been able to establish the sum claimed and the defendant has no defence to same.

Consequently, the defendant is hereby ordered to pay to the claimant the sum of N1, 644, 560.04 (One Million, Six Hundred and Forty Four Thousand, Five Hundred and Sixty Naira, Four Kobo) being the sum owed in debt.

Olumide Bamisile, Esq.
District Judge
T. Judiciary Abuja
Sign. Date. 20/11/2023

Signed.
Olumide Bamisile
Presiding District Judge
20/11/2023.

HIGH COURT OF JUSTICE
CERTIFIED TRUE COPY
NAME. Bolanina Selu
DATE. 20/11/2023
SIGN. [Signature]
CODE. [Signature]