

**IN THE HIGH COURT OF JUSTICE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT HIGH COURT MAITAMA –ABUJA**

BEFORE: HIS LORDSHIP HON. JUSTICE S.U. BATURE

**COURT CLERKS: JAMILA OMEKE & ORS
COURT NUMBER: HIGH COURT NO. 24
CASE NUMBER: SUIT NO. FCT/HC/CV/691/2022
DATE: 13/7/2023**

BETWEEN:

AISHA ISA MUSA ABDULLAHI.....CLAIMANT

AND

MAX AIR LIMITED.....DEFENDANT

CONSENT JUDGMENT

APPEARANCES:

A.Y.R. Uzoma Esq with V.I. Onogo Esq for the Claimant.

CONSENT JUDGMENT

Parties in this suit have filed Terms of Settlement on 22nd June, 2023 which provides thus:

WHEREAS:

The Claimant herein instituted this action before this Honourable Court against the Defendant for the following reliefs:-

1. AN ORDER OF THIS HONOURABLE COURT for the payment of the sum of N55, 000.00 (Fifty Five Thousand Naira) being the sum paid

by the Claimant for a seat reservation and carriage on the Defendant's Flight No: VM1639.

2. AN ORDER OF THIS HONOURABLE COURT awarding the Claimant the sum of N237, 000.00 (Two Hundred and Thirty Seven Thousand Naira) being expenses incurred by the Claimant as a result of the Defendant's breach of contract to carry the Claimant on Flight No: VM1639.
3. AN ORDER OF THIS HONOURABLE COURT awarding the sum of N5, 000, 000.00 (Five Million Naira Only) to the Claimant as damages for physical and psychological trauma occasioned on the Claimant by the Defendant's breach of contract to carry the Claimant on Flight No: VM1639.
4. Interest of 5% on the claimed sum from the date of commencement of this action till judgment.
5. Interest on the Judgment sum at the rate of 5% from the date of Judgment till the Judgment is liquidated.
6. The cost of this action.

AND WHEREAS:-

1. The Defendant having reached out to the Claimant for out of Court settlement of this Suit No. CV/691/2022.
2. In the interest of justice, The Claimant and the Defendant have agreed for the amicable settlement of this suit and have caused the filing of this Terms of Settlement.

AND WHERE AS:

The parties have agreed to resolve this matter amicably AND IT IS HEREBY AGREED on the following:

1. **Unused Ticket**

1.1 That the Claimant's unused ticket (as in relief 1) shall be opened or reissued to accommodate a new date for the Claimant with a validity of not less than 1 year from the date of re-issue.

2. Complimentary Ticket

2.1 That the Defendant shall issue Four (4) complimentary tickets to the Claimant to any destination which the Defendant covers within Nigeria with a validity period of at least 12 months from the date of issue.

3. Written Apology

3.1 That a written apology will be sent to the Claimant by the Defendant on or before the execution of this Terms of Settlement.

4. Final settlement

4.1 That this Terms of Settlement decides and settles all claims and rights of all the parties in this suit.

4.2 The parties shall bear their respective cost of this action.

4.3 That this Terms of Settlement shall be made the Judgment and Order of this Honourable Court and shall be binding on all the parties, their heirs, executors, privies and assigns.

4.4 That breach of any paragraphs of this Terms of Settlement by the Defendant the Claimant shall be entitled to immediate Enforcement of this Terms of Settlement and/or damages incurred.

Now, parties having duly executed and adopted the said Terms of Settlement same is hereby entered as Consent Judgment in this suit before this Honourable Court.

Signed:

***Hon. Justice S. U. Bature
13/7/2023.***