

**IN THE HIGH COURT OF FEDERAL CAPITAL TERRITORY  
IN THE ABUJA JUDICIAL DIVISION  
HOLDEN AT MAITAMA – ABUJA  
BEFORE HIS LORDSHIP: HON. JUSTICE .H. MU’AZU  
SUIT NO: FCT/HC/CV/4527/2024  
MOTION NO: FCT/HC/M/2010/2025  
DELIVERED ON THE 18/03/2025**

**BETWEEN:**

**DEETBOOK BUREAU DE CHANGE LIMITED....JUDGMENT CREDITOR/RESPONDENT**

**AND**

**AS-SUNNAH BUREAU DE CHANGE LTD.....JUDGMENT DEBTOR/APPLICANT**

**RULING**

I have carefully considered the Application of the Judgment Debtor/Applicant seeking order of this Court staying execution of its Judgment pending the determination of the Appeal filed as evidenced by Exhibit 2 attached to the affidavit in support. I have perused the affidavit in support and the further affidavit of the Judgment Debtor/Applicant. I have also considered the averments in the Judgment Creditor/Respondent counter affidavit and argument canvassed by Counsel. The Applicant invites the Court to exercises its discretion. As usual the court is enjoined to exercise such discretion judicially and judiciously in the interest of justice.

To determine this Application, the issue, whether the Applicant has made out a case to entitled it to the relief sought is formulated for determination.

It is pertinent to note that the Judgment Appealed against is one obtained under Order 35 Rule 4 of the old Rules of this Court which is now Order 34 Rule 4 of the extent Rules of this Court, 2025. This means that it is the finding of this Court that failure of the Judgment Debtor/Applicant to file a Notice of intention to defend and an affidavit showing defence on the merit necessitated the entering of Judgment for the Claimant/Judgment Creditor. Even at this moment, the Judgment Debtor is not denying its indebtedness. I don't see any justice in denying the Judgment Creditor of the fruit of his labour. This is especially because the Court of Appeal is not yet ceased of this matter. Again it is a monetary Judgment, which requires no delay in execution. I do not see any likelihood of the Appeal succeeding or substance in the Appeal filed.

I shall accordingly exercises my discretion to refuse the Application. It is accordingly hereby dismissed.

Cost of **₦50,000** is awarded.

**SIGNED:**  
**HON. JUDGE**  
**18/03/2025.**

**APPEARANCE:**

*Uchenna Uwazuruonye, Esq, for the Judgment Creditor/Respondent*

*P. T. Jirgba, Esq, for the Judgment Debtor/Applicant*