

IN THE MAGISTRATES' COURT OF ABIA STATE OF NIGERIA.
IN THE SMALL CLAIMS COURT, ABA ZONE.
BEFORE HIS WORSHIP, U. J. YOUNG-DANIEL (ESQ) CHIEF MAG. GRD 1.
THIS 25TH DAY OF FEBRUARY, 2025.

SCC/AB/10/25

BETWEEN:

UMUAKPA MULTIPURPOSE CO-OPERATIVE SOCIETY LTD ----- CLAIMANT

AND

MR DAVID OTAH NDUKWE ----- DEFENDANT

Parties Present.

Appearances: Nelson O. Okereke Esq, Claimant Attorney appears for the Claimant.

No representation for the Defendant.

MATTER IS FOR HEARING.

Evidence of the Claimant Attorney. Attorney affirms and states in English Language. My name is Nelson O. Okereke Esq of a Legal Practitioner of office at No. 142 Market Road Aba. We claim the sum of ₦209,790.00 (*Two Hundred and Nine Thousand, Seven Hundred and Ninety Naira*). However, Claimant Attorney testified that the said sum is in respect of Loan Facility granted the Defendant. We are currently claiming the sum of ₦409,451.00 (*Four Hundred and Nine Thousand, Four Hundred and Fifty One Naira*) of interest and loan sum accrued for the period of 9 (nine) years and one month. That is all I have to state.

Evidence of the Defendant. At this stage, Defendant amends his name to state *OTAH DAVID NWOKOCHA* and my address is at No. 3 Nwadinobi street Aba. I am the Defendant. I have paid the Claimant the sum of ₦12,000.00 (*Twelve Thousand Naira*). That is all I have to state.

JUDGMENT.

Claimant by its Letter of Demand claims from the Defendant the sum of ₦209,790.00 (*Two Hundred and Nine Thousand, Seven Hundred and Ninety Naira*) as stated in the Claimant's Letter of Demand. Same being Loan Facility advanced to the Defendant. Claimant Attorney testified to the fact that the said sum has increased to the sum of ₦409,451.00 (*Four Hundred and Nine Thousand, Four Hundred and Fifty One Naira*) of accrued interest since the Letter of Demand was filed and then that the Defendant has not paid any sum to

liquidate the said accrued debt. Defendant did not file a Defence/CounterClaim as he ought to do in tandem with Rules of Small Claims Court. However, audience was granted to the Defendant wherein he testified that he had paid the Claimant the sum of ~~₦12,000.00~~ (Twelve Thousand Naira) which circumstance he had brought to the attention of the Claimant Attorney. However, Claimant Attorney admitted to the Defendant's fact of being brought to his attention the Payment of the sum of ~~₦12,000.00~~ (Twelve Thousand Naira) to the Co-operative Society, but then that the Defendant did not exhibit any proof of payment to that effect as claimed and then that the Co-operative Society did not bring to his attention still such alleged payment by the Defendant, hence his evidence to the sum aforestated accrued against and or owed by the Defendant. Also Defendant did not present any proof still of the said payment of the sum of ~~₦12,000.00~~ (Twelve Thousand Naira) in his testimony before this Court.

In the circumstance, this Court states that the Claimant through its Attorney has proved its Claim of the sum of ~~₦209,790.00~~ (Two Hundred and Nine Thousand, Seven Hundred and Ninety Naira) and the accrued interest thereafter of the sum of ~~₦409,451.00~~ (Four Hundred and Nine Thousand, Four Hundred and Fifty One Naira). In the circumstance, Defendant is therefore ordered forthwith to liquidate to the Claimant the accrued sum of loan and interest of ~~₦409,451.00~~ (Four Hundred and Nine Thousand, Four Hundred and Fifty One Naira). There is no order as to cost.

U. J. YOUNG-DANIEL (ESQ)
CHIEF MAG. GRD 1.
25/02/25.



NWANOSIKE PATRICK C.
Head Registrar
SCC Aba Zone