

**IN THE CHIEF MAGISTRATE COURT OF KANO STATE  
IN THE KANO SMALL CLAIMS COURT  
HOLDEN AT KANO**

**SUIT NO: SCC4/09/2019**

**BETWEEN:**

**HAJYA BARA'ATU ISAH .....PLAINTIFF**

**AND**

**BILKISU NASIRU.....DEFENDANT**

**JUDGMENT**

The Plaintiff in this case approached this honourable court on the 12<sup>th</sup> day of December, 2019 filling and filing a Civil Demand Form SCA 1 and a Complaint Form SCA2.

The Plaintiff demand against the Defendant the sum of **N156,000.00 (One hundred and fifty-six thousand Naira Only)** in respect of goods supplied to the Defendant.

A summons was sent to the Defendant on the same 12<sup>th</sup> day of December, 2019. On the 8<sup>th</sup> day of January, 2020, the case was mentioned and subsequently fixed for hearing on the 14<sup>th</sup> day of January, 2020. The Defendant was in both days absent without any justifiable reason, even though she was duly served and the bailiff has attested to an affidavit to that effect. See Form SCA 6.

In an attempt to establish, the claim against the Defendant, the Plaintiff called in one witness.

The summary of the Plaintiff case's as follows:

PW1 whose name is Bara'atu Isah Nakawo, a businesswoman of NO. 11 Dukawuya Quarters of Gwale Local Government, Kano State stated that her claim against the Defendant one Bilkisu Nasiru is to the tune of One Hundred and Fifty-six thousand Naira (156,000.00) from the N256.000.00 worth goods she gave to the Defendant, 3 years ago. The Plaintiff stated that the Defendant only gave her the sum of N50,000.00 3 years ago.

This is the case of the Plaintiff. At the close of which the counsel to the Plaintiff urge the court to invoke the provision of Article 8 (2) of the Kano State Magistrate Court Practice Direction on Small Claims No. 6 of 2018 to enter judgment in default of the Defendant.

Now having summarized the evidence of PW1 that is the Plaintiff. It is for the court to consider it as the absence of the Defendant amounts to an admission of liability by virtue of the provision of Article 6 (3) of the Kano State Magistrate Court Practice Direction on Small Claims of 2018.

In view of the non-appearance of the Defendant without any justifiable reason, coupled with the testimony of PW1 that is the Plaintiff, judgment is hereby entered in favour of the Plaintiff against the Defendant in the sum of N156,000.00 (One hundred and fifty-six thousand Naira only).

I further order the Defendant to pay the sum of N5,000.00 (Five thousand Naira only) as cost of filing this action. And also the sum of N10,000.00 as general damages.

Sign  
Zuhura Madaki  
SCC 4 Gida  
Muritala  
26/2/2020

**COUNSEL**

Mubarak Abubakar Esq for the Plaintiff

Defendant self-represented