

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

SUIT NO: SCC/304/20

BETWEEN:

ALH MAIWADA S. DODO.....PLAINTIFF

AND

ALH NAZIRU LABARANDEFENDANT

JUDGMENT

Upon an application by the Plaintiff's counsel in this case Rufai Shittu for the court to enter judgment for the Plaintiff against the Defendant citing Art.6 (3) M.C.P.D.S.C. 2018.

The fact that the Defendant has been served with the civil summons together with the complaint form since the 8th of December 2020 and has failed to file a reply or a defence to that claim and by provision of Art 6 of the Practice Direction of the Small Claims 2018 which provides that:

“Where a Defendant fails to file an Answer to the claim, such Defendant may be held to have admitted the claim”

Similarly, Art.8 (2) of the same Rules provides:

“Where the claim is called for hearing and the Plaintiff appears but the Defendant does not appear, provided there is proof of service, the magistrate shall proceed with the hearing of the claim and enter judgment as far as the Plaintiff can prove his claim”.

However, in the case before this court, the fact that the Defendant has failed to file a reply/answer to the Plaintiff's claim is enough for the court to hold that the Defendant has admitted to such claim, as such judgment is hereby entered against the Defendant one Alh

Naziru Labaran in favour of the Plaintiff one Alh Maiwada S. Dodo as per the Plaintiff's claim.

Signed
Zuhura Madaki
25/01/2021

COUNSEL
Rufai Shittu Esq for the Plaintiff

Sani Idris Esq for Defendant