

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

SUIT NO:SCR/6/20

BETWEEN:

***IBRAHIM UMAR USMAN.....PLAINTIFF***

***AND***

***ILIYA .....DEFENDANT***

**JUDGMENT**

The Plaintiff in this case approached this honourable court on the 11<sup>th</sup> day of December, 2020 by way of filling a civil demand form SCA 1 and a complainant Form SCA2.

The Plaintiff claimed against the Defendant the sum of n132,000.00 being an outstanding balance for the purchase of yam.

A summon was sent to the Defendant on the 14<sup>th</sup> December, 2020 and on the 21<sup>st</sup> of December 2020 the case was mentioned and subsequently fixed for hearing.

In the move for a settlement of the matter out of court by the parties, the Defendant paid the Plaintiff the sum of N50,000.00 in two installments of N30,000.00 and N20,000.00 respectively.

On the date fixed for hearing the Defendant was not in court even though fully aware of the date as a proof of service is hereby filed, as such, the court gave the Plaintiff the right to proceed considering the provision of Art 8 of the MCPDSC 2018.

PW1 is the Plaintiff himself whose name is Ibrahim Umar Usman, a 32 years old resident of Shagari Quarters of Kano State, stated that he gave tubers of yam to the Defendant totaling the sum of N120,000.00 and another N12,000.00 from a balance of previous yam N132,000.00

PW1 stated that in the course of settlement which failed, the Defendant had paid him the sum of N50,000.00. And that what remains now is the sum of N82,000.00 claimed on the Defendant.

PW1 pleads with the court for his money and also the cost of filling this suit.

Now having summarized the evidence of pw1 that is the Plaintiff and in view of the non-appearance of the Defendant without any justifiable reason, coupled with the testimony of PW1, judgment is hereby entered in favour of the Plaintiff one Ibrahim Umar Usman against the Defendant one Iliya in the sum of N67,000.00 only.

It is further ordered that the Defendant pay the sum of N5,000.00 as cost of filing this action.

Signed  
Zuhura Madaki  
22/03/2021

COUNSEL  
Plaintiff-Self Represented

Defendant-Self Represented