

IN THE DISTRICT COURT OF KWARA STATE

IN THE ILORIN JUDICIAL DIVISION

HOLDEN AT ILORIN

MCI/121/2024

BETWEEN:

RDMC INTERNATIONAL SERVICE LIMITED.....PLAINTIFF

AND

YUSUF FATIMA NABINI .....DEFENDANT

JUDGMENT

This default Judgment is delivered in respect of a claim brought before this Honourable court by the claimant, RDMC International Service limited against the defendant Yusuf Fatima Nabini, pursuant to a writ of summons filed on 21<sup>st</sup> May 2024.

The claimant claims against the defendant through default summons procedure for the following orders:

- (1) An order seeking the leave of this Court to cause a default summons to be issued against the defendant;
- (2) An order for the refund of the sum of Three Hundred and Fifty Thousand Naira (N350, 000.00) only to the Claimant by the Defendant; and
- (3) Cost of action in the sum of Sixty Thousand Naira (N60, 000.00) only.

Parties settled this matter out of court and the terms of settlement was adopted as prayed by the parties as the judgment of the court in the case as follows:

- (1) **Admission of liability:** The Defendant accepts liability for the sum of Three Hundred Thousand Naira (N300, 000.00) only, while the remaining is in contest;
- (2) **Acknowledgement of payment:** The claimant acknowledges the payment of Fifty Thousand Naira (N50, 000.00) only made by the defendant on the 20th day of November, 2024;
- (3) **Payment by Installments:** The Defendant agrees to pay the outstanding balance of Two Hundred and Fifty Thousand Naira (N250, 000.00) only by installments, wit:

Fifty Thousand Naira (N50, 000.00) only to be paid not later than the end of each month starting from December, 2024;

(4) **Concession on contested amount:** The Claimant avers that if the Defendant adheres to the payment plan as outlined in term 3, the Claimant will forgo the contested Fifty Thousand Naira (N50, 000.00) only;

(5) **Concession on litigation costs:** The Claimant agrees to drop the Fifty Thousand Naira (N60, 000.00) only being cost of litigation if the Defendant successfully fulfills the payment of the Three Hundred Thousand Naira (N300, 000.00) only as stated. However, in the event of default, the Claimant reserves the right to pursue the cost of litigation; and

(6) **Voluntary Agreement:** Both parties confirm that they have voluntarily agreed to these terms of settlement, and no party has been coerced or unduly influenced in making this agreement.



**MR. B. M. AJETUNMOBI**

**DISTRICT JUDGE II**

**18<sup>th</sup> /09/2024**

Court: This is the Judgement of this Court in this case.



**MR. B.M. AJETUNMOBI**

**DISTRICT JUDGE II**

**18<sup>th</sup> /09/2024**