

IN THE MAGISTRATES' COURT OF RIVERS STATE OF NIGERIA
IN THE PORT HARCOURT MAGISTERIAL DISTRICT
HOLDEN AT SMALL CLAIMS COURT 3, PORT HARCOURT
BEFORE HIS WORSHIP COLLINS G. ALI ESQ.,¹ TODAY WEDNESDAY, THE
26TH DAY OF APRIL, 2023.

SUIT NO.:PMC/SCC/24/2023.

BETWEEN:

UDE OGECHINYERE

CLAIMANT

AND

MR. KENNETH EZE OKORIE

DEFENDANT

Case called.

Parties present.

O. A. Eke Esq. for the Claimant.

E. N. Nweke Esq. for the Defendant.

DEFENCE COUNSEL - The case is ordinarily for pretrial today but myself and the Claimant counsel have discussed and after looking at the documents, we think that the parties can settle out of Court. We ask for leave to settle.

COURT - That is fine, but the parties should talk to the Court now.

CLAIMANT - He is owing me the sum of ₦1,111,000.00 for the rice and transportation.

DEFENDANT - It is not true, what I am owing her is the sum of ₦899,500.00 plus ₦90,000.00 for transport making it ₦989,500.00.

CONSENT JUDGMENT

The Claimant claims a total sum of ₦1,111,000.00 against the Defendant for a failed rice supply business. The Defendant admitted that the total cost of the failed rice transaction inclusive of transportation is ₦989,500.00.

¹ LL B, LL M, BL, A. IDRI, Chief Magistrate Grade II, and the Presiding Magistrate, Small Claims Court 03, Port Harcourt, Rivers State.

The Claimant has further informed the Court that shortly after the summons in this case was served on the Defendant, the Defendant transferred the sum of ₦989,500.00 to her on the 3rd April 2023. The Claimant insists that the Defendant would pay her the sum of ₦140,000.00 as extra cost incurred for the recovery of the debt.

The Claimant truly incurred extra cost even as the Defendant also incurred cost due to the supply of wrong specification of the rice at the first instance. However, in the interest of settlement, the Claimant shall forgo the sum of ₦40,000.00 while the Defendant shall pay additional ₦100,000.00 to the Claimant as full and final settlement of the failed rice transaction.

Accordingly, Consent Judgment is hereby entered for the parties as follows:

1. **IT IS ORDERED** that the Defendant do pay to the Claimant forthwith, the sum of ₦100,000.00 (One Hundred Thousand Naira) only as full and final settlement of the balance of the disputed rice transaction.
2. **IT IS ADJUDGED** that the Claimant shall forgo the sum of ₦40,000.00 (Forty Thousand Naira) only.
3. **IT IS ADJUDGED** that the parties shall bear their respective costs of this action.



C. G. Ali Esq.
Chief Magistrate Grade II
26/04/2023

REPRESENTATION:

1. O. A. Eke Esq. for the Claimant.
2. E. N. Nweke Esq. for the Defendant.

