

**IN THE PRINCIPAL DISTRICT COURT OF KATSINA
STATE**

**IN THE KATSINA DISTRICT
HOLDEN AT SMALL CLAIMS COURT
NO.1 KATSINA**

17th DAY OF DECEMBER, 2024

BEFORE HIS HONOUR: ABDULKARIM AHMED UMAR ESQ, ACArb

SUIT NO: SCC/KT/017/2024

BETWEEN

ABDULSALAM MANAGER

VS

SAGIR SAITI

JUDGEMENT

The Plaintiff filed this case under the small claims' procedure on the 21st Day of November, 2024 by filing form SCA1 on the same date. Later, on the 10th Day of December, 2024, the Plaintiff filed forms SCA2 and SCA3 dated 10th December, 2024.

The Plaintiff's claim against the Defendant as indicated in form SCA2 is for the sum of N75,550 (Seventy-five thousand five Hundred and Fifty Naira) out of the total sum of N80,450 (Eighty Thousand Four Hundred and Fifty Naira) for the food items supplied to the Defendant by the Plaintiff in the year 2022 which the Defendant refused to pay.

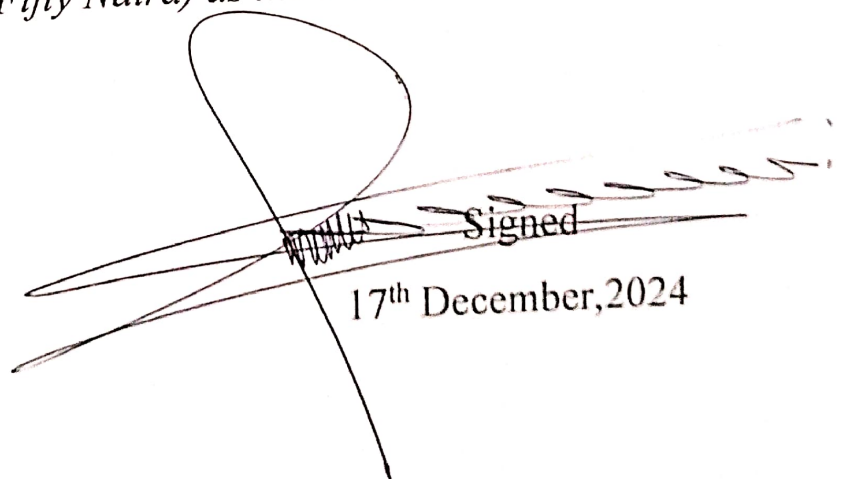
The Defendant admitted he is owing the Plaintiff the stated sum in open court and therefore has no defense.

In civil cases, the burden of proof is on the Plaintiff and same is discharged base on the balance of probability or preponderance of evidence. See the case of **ACTION ALLIANCE AND OTHERS VS INEC (2019) L.P.E.L.R 49304 (CA)** and the case of **ALAO VS AKANO (2005) L.P.E.L.R 409 (SC)**.

Based on the record of this court, the Defendant admitted owing the Plaintiff the stated sum of N75,550 (Seventy-five thousand five Hundred and Fifty Naira) this is no doubt an admission and the general principle of law is that facts admitted need not be proved. See Section 20 Evidence Act and the case of **VICTABIO VENTURES LTD VS W. VAN DER ZWAN & Z.N.B.V (2009) ALL FWLR. (Pt.490) 756 CA**.

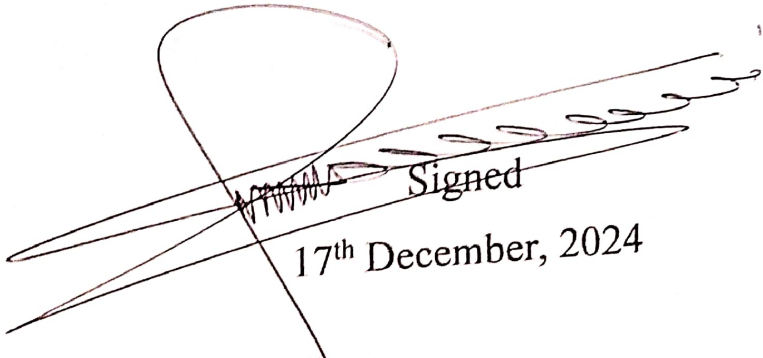
It is my humble view and I so hold that with the admission of the Defendant, it is clear that the case of the Plaintiff succeeds. Consequently. Judgement is hereby entered in favour of the Plaintiff as follows: -

The Defendant shall pay the plaintiff the sum of N75,550 (Seventy-five thousand five Hundred and Fifty Naira) as the balance due to the Plaintiff.

 Signed
17th December, 2024

APPEAL

Any party not satisfied with this decision is at liberty to appeal against same before the High Court within 14 days.

 Signed
17th December, 2024