

ADAMAWA STATE JUDICIARY

DISTRICT COURT LAW

PRACTICE DIRECTIONS

ON

SMALL CLAIMS COURT, 2024

BY:

HON. JUSTICE HAFSAT ABDULRAHMAN

THE HONOURABLE CHIEF JUDGE

HIGH COURT OF JUSTICE OF ADAMAWA STATE

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**MEMBERS OF THE JUDICIAL COMMITTEE
FOR THE ESTABLISHMENT OF SMALL CLAIMS COURTS
OF ADAMAWA STATE**

The Committee Members are as follows:

1. Hon. Justice S. L. KYANSON - Chairman
2. His Worship D. B. WATHI - Member
3. His Worship A. HAMIDU - Member
4. Barr. K. J. NDAWALAM - Member
5. Mr. Kabiru Musa - Secretary

DISTRICT COURTS LAW

PRACTICE DIRECTIONS ON SMALL CLAIMS (COURT) 2024.

In exercise of the powers conferred on me by Section 279 of the Constitution of the Federal Republic of Nigeria, 1999 (as Amended), and Section 89 of the District Courts Law Cap. 44 Laws of Adamawa State 1983 (as amended), and by virtue of all other laws enabling me in that behalf, I **HON. JUSTICE HAFSAT ABDULRAHMAN**, Chief Judge of Adamawa State, hereby issue the following
Practice Directions.

PREAMBLE:

Whereas, I, the Hon. Chief Judge of Adamawa State hereby designate some Districts' Courts as Small Claims Courts.

The Practice Directions shall apply and be observed in the Districts' Courts designated as Small Claims Courts and by the High Court, when sitting over appeals from the Small Claims Courts.

SMALL CLAIMS PROCEDURE

ARTICLE 1

OBJECTIVE

The objective of the small claims procedure is to provide easy access to an informal, inexpensive and speedy resolution of simple debt recovery disputes in the District Courts.

ARTICLE 2

COMMENCEMENT OF ACTION

1. An action may be commenced in the Small Claims Court where:
 - a. The Defendant or one of the Defendants reside or carry on business in Adamawa State;
 - b. The cause of action arose wholly or in part in Adamawa State;
 - c. The claim is for a liquidated monetary demand in a sum not exceeding ~~N~~5,000,000 (Five Million Naira), excluding interest and costs or ~~N~~10,000,000 (Ten Million Naira) in Counterclaim as the case may be;
 - d. The Claimant has served on the Defendant, a LETTER OF DEMAND as in Form SCC 1.
2. The action shall be commenced by Claim upon the completion of a Small Claims Complaint Form as in Form SCC 2.
3. The Summons shall issue as in Form SCC 3 upon the Registrar being satisfied that the requirements of 2 (1) above have been met.

ARTICLE 3

UNDEFENDED CLAIMS

1. Where a Claimant believes that there is no defence to his claim, he may file with the Summons, an Application for Undefended Claims as in Form SCC 3A.
2. The Application for Undefended Claims shall be supported by an Affidavit stating the grounds for his belief (that there is no defence to his claim) as in Form SCC 3B.
3. If the Defendant files a Counter-affidavit specified in Article 7 (2) below, the Claimant may file a Further-affidavit to the Defendant's Counter-affidavit within 5 days of service of the Counter-affidavit.
4. Where it appears to a District Court Judge that the Defendant has a good defence and ought to be permitted to defend the claim, he may be granted leave to defend.
5. Where it appears to a District Court Judge that the Defendant does not have a good defence, the District Court Judge may enter judgment for the Claimant.
6. Where it appears to a District Court Judge that the Defendant has a good defence to part of the claim but does not have a good defence to other parts of the claim, the District Court Judge may enter judgment for that part of the claim to which there is no defence and grant leave to defend that part to which there is a defence.

7. Where there are several Defendants, and it appears to a District Court Judge that one or more of the Defendants have a good defence, the District Court Judge may permit such Defendants to defend and enter Judgment against the other Defendants.

ARTICLE 4

MARKING AND PAYMENT OF FILING FEES

Where a case satisfies the criteria in Article 2 above, the Court Registrar or any officer of the Court in charge of the Small Claims Registry shall cause the Claim to be marked "Qualified for Small Claims" and direct the Applicant to pay appropriate filing fees.

ARTICLE 5

ASSIGNMENT OF SMALL CLAIMS FILE

1. Upon the marking of the Claim, the Court Registrar or any officer of the Court in charge of the Small Claims Court shall within 24 hours forward the case file to the Administrative District Court Judge for assignment to a District Court Judge of the Small Claims Court.
2. The Administrative District Court Judge shall within 24 hours of receipt of the case file assign the file to a District Court Judge of the Small Claims Court.

Such case assignment shall be on a random basis and shall for the time being be effective in Yola and Mubi Districts. Other designated District Courts may have Small Claims filed at their respective Registry.

ARTICLE 6

SERVICE

1. The Summons and other relevant Forms shall be served by the Bailiff or any duly authorized Court Officer of the Small Claims Court within seven (7) days of filing.
2. Upon service, the Bailiff or any duly authorized Court Officer of the Small Claims Court shall file an Affidavit of Service as in Form SCC 6 or Certificate of Service within 2 days of service.
3. The provision of the Districts Courts (Civil Procedure) Rules regarding mode of service, except as provided herein, shall apply to any process of whatever description issued by the Small Claims Court.
4. Where the Bailiff or any duly authorized officer of the Small Claims Court is unable to serve the Summons on the Defendant within the time specified in (1) above, he shall file an Affidavit of Non-Service as in Form SCC 4 or Certificate of attempted Service after the expiration of the time allowed for service.
5. In the event of (4) above, the Claimant shall apply for an Order of substituted service of the Summons on the Defendant by filing Form SCC 7.

6. Upon receipt of a duly completed Form SCC 7, the District Court Judge shall make an order for substituted service of the Summons.
7. Substituted service includes service by pasting on a conspicuous area at the Defendant's last known place of abode, by registered post, electronic means via the party's verified/verifiable e-mail, Twitter, Instagram, WhatsApp, Facebook, Telegram, address or account or any other related electronic device as may be appropriate.

Provided that substituted service by means of Text Message (SMS) shall be used for Hearing Notices only. The following provisions shall with respect to substituted service be applicable:

- a. The application in terms of Article 6 (5) above must be accompanied by an affidavit verifying and confirming the identity of the respondent, postal/physical address and the electronic mail address at which the defendant will receive service of the summons.

- b. A copy of any electronic mail or correspondence including attachments between the parties may be attached as proof of the validity of the electronic mail address or accounts.

- c. The Bailiff or any duly authorized Officer of the Small Claims Court shall serve the summons, annexures and pleadings by way of electronic mail on the address as if ordered by the court, indicating what processes have been served by way of electronic mail and the number of pages that were mailed.

ARTICLE 7

FILING OF DEFENCE/ADMISSION/COUNTERCLAIM/COUNTER-AFFIDAVIT TO APPLICATION FOR UNDEFENDED CLAIMS

1. Upon service of the Summons, the Defendant shall file his Defence or Admission or Counterclaim within Seven (7) days by completing Form SCC 5 as appropriate.
2. A Defendant who has been served with an Application for Undefended Claims shall file (along with Form SCC 5 and within 7 days stipulated for him to enter Defence) a Counter-affidavit as in Form SCC 5A stating why judgement should not be entered against him.
3. The provision of Article 6 on service of Summons shall apply to service of a Counterclaim.
4. Where a Defendant fails to file an Answer to the Claim, or a Counteraffidavit to the Application for Undefended Claims, such Defendant shall be held to have admitted the Claim.

ARTICLE 8

COUNTER CLAIM

1. If at the time the action is commenced the Defendant intends to counterclaim against the Claimant, a liquidated money demand not exceeding ₦10,000,000.00 (Ten Million Naira) (excluding interest and

costs) and which claim arises out of the same transaction or series of transactions, the Defendant shall file a Counterclaim as in Form SCC 5 in answer to the Claim.

2. If at the time the action is commenced, the Defendant intends to counterclaim against the Claimant a liquidated money demand exceeding ₦10,000,000.00 (Ten Million Naira but not more than ₦15,000,000.00 (Fifteen Million Naira) (excluding interest and costs), the Defendant may file a Counterclaim in the pending Small Claims action by filing Form SCC 5.
3. If at the time the action is commenced, the Defendant has a Counterclaim that exceeds the general jurisdiction of the District Court, the Defendant may still file the Counterclaim, by filing Form SCC 5, PROVIDED that any Judgment in the Defendant's favour shall be limited to the general jurisdiction of the District Courts.
4. In the event of (3) above, the Defendant/Counterclaimant shall be deemed to have abandoned the excess of the Counterclaim.
5. The Defendant(s) Counterclaim shall be limited to the Claimant(s) on record.
6. The Claimant may file a Reply to the Defendant(s) Defence and Counterclaim, such filing shall be within 5 days of service of the Defendant(s) Defence and Counterclaim.
7. No pleadings after Reply shall be allowed.

ARTICLE 9

NON-APPEARANCE

1. When the claim is called for hearing on the date fixed and neither party appears, the District Court Judge shall unless he sees good reason to the contrary, strike out the claim.
2. When the claim is called for hearing and the Claimant appears but the Defendant does not appear, provided there is proof of service, the District Court Judge shall proceed with the hearing of the claim and enter Judgment as far as the Claimant can prove his claim.
3. When the claim is called for hearing, and the Defendant appears but the Claimant does not appear, the Defendant, if he has no Counterclaim may
be entitled to an Order striking out the claim.
4. If the defendant has a Counterclaim, the District Court Judge may after striking out the claim as in (3) above proceed to hear the Counterclaim and enter Judgment accordingly, as far as the Defendant can prove his Counterclaim.
5. Where a claim has been struck out in (1) or (4) above, it shall not be relisted.

ARTICLE 10

PROCEEDINGS AT THE HEARING

1. At the first appearance of the parties before the Court, the District Court Judge may promote, encourage and facilitate amicable settlement of the dispute among the parties. The process of amicable settlement of the dispute among the parties shall not exceed seven (7) days.
2. Notwithstanding (1) above, the parties are also encouraged to contact one another with a view to settling the matter amicably or to narrow the issue. The court must be informed on the hearing date if the case is settled by agreement before that date, and a Consent Judgment may be entered by the Court accordingly.
3. In the event that parties are unable to settle the dispute amicably, the District Court Judge may hold a preliminary hearing for the purpose of giving directions for hearing of the Claim or Counterclaim (as the case may be) including a hearing time table, length of trial or hearing, exchange of witness(es) list, formulation and settlement of issues, as appears to the District Court Judge to secure the just, expeditious and speedy disposal of the Claim or Counterclaim.
4. Hearing shall be conducted by the court from day to day as far as is practicable and may only be adjourned as a last resort and for the shortest possible time.
5. Adjournment can only be granted during proceedings in unforeseen or exceptional circumstance and a party may not be granted more than one

adjournment during the entire proceedings.

6. The entire hearing period shall not be more than thirty (30) days from the first date of hearing, inclusive of the seven (7) days for amicable settlement.
7. During the hearing, the District Court Judge may ask any question to the witness or order the witness to produce any document in the witness' possession in order to clear up any ambiguity which may have been left obscured in evidence given by such a witness.

ARTICLE 11

REPRESENTATION

1. Parties may represent themselves at the proceedings in the Small Claims Court.
2. Partnerships, Registered Companies and Incorporated Trustees can be represented by either a Partner, Company Secretary or any other Principal Officer of the Partnership or Company, or a Trustee, or other Principal Officer of the Incorporated Trustees.

ARTICLE 12

EVIDENCE

1. Parties may testify on their own behalf and tender all necessary documents and they may call other witnesses to give evidence at the hearing.

2. In the interest of justice, the Court may depart from the strict application of provisions of Evidence Act.

ARTICLE 13

JUDGMENT

1. The District Court Judge shall deliver Judgment within fourteen (14) days of the completion of hearing. The Judgment shall include the Court's determination of issues raised in any interlocutory application(s) filed by any of the parties.
2. The entire period of proceedings from filing till Judgment shall not exceed sixty (60) working days.
3. The Judgment of the Court shall not be invalid by reason of the entire proceedings of the court having exceeded sixty (60) working days.
4. The District Court Judge should endeavour to issue authenticated copies of the Judgment immediately after its delivery but in any event not exceeding 7 days from the date of the delivery of the Judgment.

ARTICLE 14

ENFORCEMENT OF JUDGMENT

1. The Defendant or Defendant to the Counterclaim (as the case may be) shall comply with the Judgment and pay the Judgment sum forthwith.
2. Upon default of the Defendant or Defendant to the Counterclaim to pay the Judgment, the Judgment shall be enforced in like manner as any order of the District Court for the payment of money.

ARTICLE 15

APPEALS

1. Where either party is aggrieved with the Judgment, such party shall comply with the provisions of Order XXVII of the District Courts Rules with regard to Leave of the District Court.
2. The aggrieved party shall file the Notice of Appeal as in Form SCC 8 within 14 (fourteen days) of the delivery of the Judgment stating the reasons for the Appeal.
3. The Registrar of the Small Claims Court of the Small Claims Registry shall compile the records of appeal within fourteen (14) days of the submission of Form SCC 8.
4. The Records of Appeal shall thereafter be forwarded to the Fast Track Registry of the High Court, where it is then assigned to a Judge of the Fast Track Court designated to hear appeals from the Small Claims Court.
5. The Judge, so designated shall cause Hearing Notices to issue to the parties and the appeal shall be heard at the earliest convenience of the Court.
6. The Appeal shall be by written briefs of the parties and on the records of the appeal.
7. The whole Appellate Process from the assignment of the Appeal to Judgment shall not exceed thirty (30) days.

ARTICLE 16

GENERAL PROVISIONS

1. Every District Court Judge presiding in a Small Claims Court must take judicial control and management of all cases allocated to him/her by the Chief Registrar/Administrative District Court Judge.
2. The District Court Judge must note in the Small Claims record book, the duration of each sitting. The record book shall provide detailed information on the progress of each case from filing to issuance of judgment.
3. The District Court Judge must note on the record of the proceedings in respect of each case:
 - a. the time of the day when the proceedings actually commenced and actually ended; and
 - b. the time of the day of the commencement and conclusion of each adjournment on that day.
4. In line with Article 12 (2) above, all District Court Judges hearing Small Claims will strive to finalize cases within sixty (60) working days of filing by the Claimant. Such District Court Judges must report monthly to the Chief Registrar/Director Magistrates on all part-heard cases that have not been finalized within sixty (60) working days from the date of commencement of the trial, provided that a District Court Judge having more than five (5) part heard cases may not commence any new case

without a written approval from the Chief Registrar/Administrative District Court Judge. Any District Court Judge under this Practice Direction who has more than five (5) part-heard cases must submit along with his monthly report an action plan on how he intends to reduce the part-heard cases and provide monthly reports on progress.

5. Upon the direction of the Chief Registrar, an Administrative District Court Judge must submit any information and any assessment material including statistics, records showing compliance with time frames for court events, and any other reports required by the Chief Judge to assess the functioning and efficiency of the Small Claims Courts.

ARTICLE 17

WHERE NO PROVISION EXISTS

Where no provision is made in this Practice Direction, the provisions of the District Court (Civil Procedure) Rules; the High Court (Civil Procedure) Rules or any other written law for the time being in force shall so far as they can be conveniently applied, be in force in the Small Claims Court.

CITATION

This Practice Direction may be cited as the “Adamawa State Practice Directions on Small Claims Court 2024.”

COMMENCEMENT

This Practice Direction shall come into effect on 6th July, 2024.

FORM SCC 1
SMALL CLAIMS COURT

LETTER OF DEMAND

FROM: _____

WORK ADDRESS

RESIDENTIAL ADDRESS

TELEPHONE NO. (S) AND E-MAIL: _____

TO: _____

WORK ADDRESS: _____

RESIDENTIAL ADDRESS: _____

TELEPHONE NO.(S) AND E-MAIL: _____

SIR/MADAM

DEMAND:

I hereby claim from you:

(PLEASE STATE PARTICULARS)

Unless you comply with this demand within fourteen (14) days after receipt of this letter, a summons will be issued against you in the Small Claims Court.

.....

CLAIMANT'S
SIGNATURE FORM
SCC 2

IN THE DISTRICT COURT OF ADAMAWA STATE HOLDEN AT
_____ SMALL CLAIMS

COMPLAINT FORM

(TO ACCOMPANY FORM SCC 3)

NB:

1. Please fill the Form legibly.
2. Please attach copies of the documents (contracts, receipts, expert's report (if applicable) etc. upon which the claim is based.
3. Submit this form at the Registry of the Small Claims Court.

A. PARTICULARS OF CLAIMANT(S)

FULL NAME

WORK ADDRESS

RESIDENTIAL ADDRESS

TELEPHONE NO.(S) & E-EMAIL: _____

Please attach a list of other Claimant (if more than one) with the required particulars

B. PARTICULARS OF DEFENDANT(S)

FULL NAME _____

WORK ADDRESS _____

RESIDENTIAL ADDRESS _____

TELEPHONE NO.(S) & E-EMAIL: _____

Please attach a list of other Defendant(s) (if more than one) with the required particulars

c. PARTICULARS OF CLAIM

TOTAL SUM CLAIMED _____

INTEREST _____

COSTS _____

OTHERS _____

PLEASE SUMMARIZE YOUR COMPLAINT AND STATE THE STEPS YOU HAVE TAKEN TO RECOVER THE CLAIM.

IN THE DISTRICT COURT OF ADAMAWA STATE
SMALL CLAIMS

CLAIM NO.....

SUMMONS
(TO BE SERVED WITHIN SEVEN DAYS OF FILING)

BETWEEN:

..... CLAIMANT(S)

AND

..... DEFENDANT(S)

The Claimant Claims:

Debt (particulars are attached)

.....

Court Fees _____

Costs _____

Total _____

To:

.....

.....

1. You are hereby summoned to appear personally before this court on the _____ day of _____ 20__ at _____ to admit or deny your liability for the abovementioned claim.
2. If you admit or deny liability, or have a counterclaim, you are advised to complete and return Form SCC 5 to the registry of the Small

Claims Court within Seven (7) days after the service of this summons inclusive of the day of service. If you require longer time for payment, complete the form of ADMISSION as in Form SCC 5.

3. (a) Take notice that if you fail to appear in Court on the hearing date after a summons has been served on you, judgment may be obtained against you by the Claimant.
- (b) Money payable in terms of a judgment or Order of Court may be paid directly to the Judgment Creditor.
- (c) If you admit the claim and wish to consent to Judgment or wish to undertake to pay the claim in installments or in full you may approach the Claimant.

4. Enforcement

If any person against whom a Judgment for the payment of money has been given or an Order for the payment of money in installments has been made fails to satisfy the Judgment or Order.

- (a) Such judgment or order may be enforced against movables and if the movables are found to be insufficient then against the immovable of the party against whom the Judgment or Order has been issued.
- (b) Execution shall be taken against the whole Judgment debt and costs which have not been paid in default of an installment being paid.

Dated at this day of 20

Registrar

IN THE DISTRICT COURT OF ADAMAWA STATE
SMALL CLAIMS

UNDEFENDED CLAIMS
(TO BE SERVED WITHIN SEVEN DAYS OF FILING)

BETWEEN:

..... CLAIMANT(S)

AND

..... DEFENDANT(SS/APPLICATION

FOR UNDEFENDED CLAIMS

TAKE NOTICE that this Honourable Court shall be moved on the.....day of20..... at 9 O'clock in the forenoon or so soon thereafter as the Claimant may be heard praying for an Order:

1. Entering Judgment against the Defendant in the sum of N..... (State the exact amount claimed without more) plus interest and costs.
2. And for such order(s) the Court may deem fit to make.

Dated this day of 20

CLAIMANT'S SIGNATURE

ADDRESS:.....

.....

.....

PHONE NO

E-MAIL.....

FOR SERVICE ON

DEFENDANT'S NAME.....

ADDRESS.....

TELEPHONE NO.....

E-MAIL.....

TELEPHONE NO: E-MAIL.....

IN THE DISTRICT COURT OF ADAMAWA STATE
HOLDEN AT.....

SMALL CLAIMS

(TO BE SERVED WITHIN SEVEN DAYS OF FILING)

CLAIM NO.....

BETWEEN:

..... CLAIMANT(S)

AND

..... DEFENDANT(S)

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR UNDEFENDED
CLAIMS**

I, of
(State the name and address of the Claimant) Federal Capital Territory do
hereby make an oath and state as follows:

1. I am the Claimant in this case.
2. The Defendant is indebted to me in the sum of
₦..... (state the exact amount
claimed without more) and I verily believe that the Defendant has no
defence whatsoever to my claim.
3. Notwithstanding the issuance of a Letter of Demand, Defendant
failed to liquidate his indebtedness to me.
4. I have also issued a Complaint Form and caused a Summons to be
issued against the Defendant.
5. Notwithstanding the service of the foregoing on the Defendant, he
has failed to liquidate his indebtedness to me.

6. The indebtedness arose on account of

.....

.....

(Explain in details of the transaction and why judgment should be entered against the Defendant. Explain all efforts made to recover the debts. Attach all necessary documents. Use extra sheet if necessary).

.....

.....

.....

.....

7. I depose to this Affidavit conscientiously, believing all the depositions contained here to be true and correct by the Oaths Acts.

DEPONENT

**SWORN TO AT THE SMALL CLAIMS COURT REGISTRY OF
_____ DISTRICT**

THIS DAY OF 20

BEFORE ME

COMMISSIONER OF OATHS

FORM OF JURAT (If applicable)

Where the Commissioner has read the Affidavit to the Deponent.

I have first truly distinctly and audibly read over the contents of this affidavit to the deponent who is "blind (or illiterate) and explained the nature and contents of the exhibits therein referred to in the language, when he appeared perfectly to understand the same and made his mark (or signature) thereto in my presence.

Commissioner for Oaths

FORM SCC 4

**IN THE DISTRICT COURT OF ADAMAWA STATE
SMALL CLAIMS**

CLAIM NO.....

BETWEEN:

..... CLAIMANT(S)/APPLICANT(S)

AND

..... DEFENDANT(S)/RESPONDENT(S)

AFFIDAVIT OF NON-SERVICE

I, Make Oath and say, that on theday of
..... 20 at O'clock I attempted to serve Upon
..... Summons for Small Claims.

The copy whereof annexed issued out of this court at

I have been unable to serve the Summons

Because

Bailiff

Sworn to at the Small Claims Court Registry of _____ District

ThisDay of 20

Before me

Commissioner of Oaths

FORM SCC 5

IN THE DISTRICT COURT OF ADAMAWA STATE

HOLDEN AT SMALL CLAIMS

Claim No.

FORM OF ADMISSION, DEFENCE AND COUNTERCLAIM TO ACCOMPANY
FORM SCC 3

(TO BE SERVED ON THE CLAIMANT WITHIN 7 (SEVEN) DAYS OF SERVICE
OF FORM SCC 3) **BETWEEN:**

..... **CLAIMANT(S)**

AND

..... **DEFENDANT(S) (a)**

ADMISSION

I admit the Claimant's claim (or)part of the Claimant's
claim and I ask for permission to pay the sum with costs on that amount on
..... day of 20.... (or by instalments of N
..... per) because:

1.
2.
3.

(State why you cannot pay at once)

b) DEFENCE

I have a defence

.....
.....

.....
.....
or I dispute part of the Claimant's claim) because

.....
(State briefly the facts you wish to put before the courts)

c) COUNTERCLAIM OR SET OFF.

I have a counter-claim or set-off against the Claimant for
₦ _____

.....
.....
.....
.....
.....
.....
(State the particulars of the Counterclaim or Set off)

DEFENDANT/COUNTERCLAIMANT

FORM OF JURAT (If applicable)

Where the Commissioner has read the Affidavit to the Deponent.

Sworn At the Court Registry In District

Dated This Day of 20..... before me.

I have first truly distinctly and audibly read over the contents of this affidavit to the deponent who is "blind (or illiterate) and explained the nature and contents of the exhibits therein referred to in the..... language when he appeared perfectly to understand the same and made his mark (or signature) thereto in my presence.

Commissioner for Oaths

Defendant's address for service in Abuja:

.....

Dated this day of 20.....

NB: IF YOU FAIL TO FILE AN ANSWER TO THE CLAIM, YOU WILL BE HELD TO HAVE ADMITTED THE CLAIM

FORM SCC 5A

IN THE DISTRICT COURT OF ADAMAWA STATE

IN THE DISTRICT COURT

HOLDEN AT..... SMALL CLAIMS

CLAIM NO.....

BETWEEN:

..... **CLAIMANT(S)**

AND

..... **DEFENDANT(S)**

DEFENDANT'S COUNTER-AFFIDAVIT TO APPLICATION FOR UNDEFENDED CLAIMS

(TO BE SERVED ON THE CLAIMANT WITHIN 7 DAYS OF SERVICE OF FORM SCC 3A & SCC 3B)

I, of

[State the Defendant's name and address] Federal Capital Territory, hereby make oath and state as follows:

1. I am the Defendant in this case. *(If there are multiple Defendants state the position of the Defendant).*
2. I have a good defence against the Claimant's claim. I have expressed my defence in Form SCC 5. *(State if there is a Counterclaim).*
3. The Claimant is not entitled to Judgment against me *(State name of the Defendant).*
4. I dispute the allegations in paragraphs of the Claimant's affidavit because: *(the Defendant SHALL state paragraphs in the affidavit that he is opposing)*

.....
.....
(Explain in detail why judgment should not be entered against Defendant. Attach all necessary documents. Use extra sheets if necessary)
.....
.....
.....

- 5. I know that Defendant is not indebted to the Claimant in the sum ~~N~~..... or any sum whatsoever. (State the amount being claimed)
- 6. I depose to this Affidavit conscientiously, believing all the depositions contained here to be true and correct by the Oaths Act.

DEPONENT

SWORN TO AT THE DISTRICT COURT OF _____, SMALL CLAIMS REGISTRY

THIS..... DAY OF 20.....

BEFORE ME

COMMISSIONER FOR OATHS

FORM OF JURAT (If applicable)

Where the Commissioner has read the Affidavit to the Deponent.

*Sworn to at the Small Claims Court Registry.....thisDay of
..... 20*

I have first truly distinctly and audibly read over the contents of this affidavit to the deponent who is "blind (or illiterate) and explained the nature and contents of the exhibits therein referred to in the..... language when he appeared perfectly to understand the same and made his mark (or signature) thereto in my presence.

Commissioner for Oaths

FORM SCC 6

IN THE DISTRICT COURT OF ADAMAWA STATE

IN THE _____ DISTRICT COURT

OLDEN AT _____

SMALL CLAIMS

CLAIM NO.....

AFFIDAVIT OF SERVICE

(PROOF OF SERVICE TO BE FILED WITHIN TWO (2) DAYS OF SERVICE)

BETWEEN:

..... CLAIMANT(S)/APPLICANT(S)
AND
..... DEFENDANT(S)/RESPONDENT(S) I

I, of

Make Oath and say, that on the day of 20

At O'clock I served upon

Summons for small claims

..... the copy whereof annexed

issued out of this court at upon

..... (name the Defendant) on the complaint of

..... (name the Complainant) By delivering the

same personally to (name person being served)

before the day I served the summons I did not know

..... personally, but after he was pointed out to me By
..... (name the pointer) and I asked him If he was
..... (name the person being served) and he said, he
was.

Bailiff

SWORN TO AT THE SMALL CLAIMS COURT REGISTRY.

THIS DAY 20

IN THE DISTRICT COURT OF ADAMAWA STATE
IN THE DISTRICT COURT
HOLDEN AT.....
SMALL CLAIMS

CLAIM NO.....

BETWEEN:

..... CLAIMANT(S)/APPLICANT(S)

AND

..... DEFENDANT(S)/RESPONDENT(S)

MOTION EX-PARTE BROUGHT PURSUANT TO ORDER IV RULE 4
OF THE DISTRICT COURT CIVIL PROCEDURE RULES, 2024 AND
UNDER THE INHERENT JURISDICTION OF THE COURT

TAKE NOTICE that the Honourable Court will be moved on theday of
..... 20, at 9'O Clock in the forenoon or soon thereafter as
the Claimant/Applicant may be heard praying the court for the following:

1. An Order of the Court granting leave to the Claimant/Applicant to serve the Summons on the Defendant by substituted means, to wit: pasting same at being the last known address of the Defendant or by any other means of service, as is hereby stated

2. **AND FOR SUCH ORDER OR ORDERS** as this Honourable Court may deem fit to make in the circumstances in this claim.

Dated this day of 20

.....

Claimant's signature

FORM SCC 8

**IN THE HIGH COURT OF ADAMAWA STATE, FAST TRACK COURT
HOLDEN AT.....
SMALL CLAIMS**

APPEAL NO.....

BETWEEN:

..... **APPELLANT(S)**

AND

..... **RESPONDENT(S)**

NOTICE OF APPEAL

*(TO BE FILED WITHIN 14 (FOURTEEN) DAYS OF DELIVERY OF THE
JUDGMENT)*

TAKE NOTICE that the/Appellant(s) being dissatisfied with the decision of the District Court (Small Claims Court) as contained in the Judgment delivered on the by do hereby appeal to the High Court of the FCT, Abuja, upon the grounds set out in paragraph 2 and will at the hearing of the Appeal seek the reliefs set out in paragraph 3.

AND the Appellant further states that the names and addresses of the persons who would be directly affected by the appeal are those set out in paragraph 4 of this Notice.

- PART OF THE DECISION OF THE LOWER COURT COMPLAINED OF: -**

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2. GROUNDS OF APPEAL

(1) The learned District Judge erred in law when His Worship held that

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PARTICULARS OF ERROR

(a)
.....
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(b)
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3. RELIEFS BEING SOUGHT FROM THE HIGH COURT OF ADAMAWA STATE

(a) An Order of the Honourable Court
.....
.....

(b) An Order
.....
.....

.....

4. PERSON(S) DIRECTLY AFFECTED BY THE APPEAL

NAMES

ADDRESS

- 1.
- 2.
- 3.
- 4.

Dated this day of 20

.....
APPELLANT'S SIGNATURE

ADDRESS FOR SERVICE:

.....
.....

ISSUED THIS 21ST DAY OF JUNE 2021

UNDER THE HAND AND SEAL OF


.....

HON. JUSTICE HAFSAT ABDULRAHMAN,
HON. CHIEF JUDGE OF ADAMAWA STATE