

THE SMALL CALAIMS COURT OF NIGERIA
IN THE SMALL CLAIMS COURT OF BENUE STATE
IN THE SMALL CLAIMS COURT 3
HOLDEN AT MAKURDI

SUIT NO. SCC3/89/2025

BETWEEN:

GLORIA ABUCLAIMANT

(Doing business in the name and style of the Olivewood School, Makurdi)

VS

KELVIN LANEN.....DEFENDANT

JUDGMENT

The claimant is the proprietress of Olivewood Schools Makurdi, Benue State whereas the defendant is a fashion designer who enrolled three of his wards in the Claimant's School. Despite sufficient grace granted to the defendant to pay the outstanding balance of his wards fees for the session which is 2024/2025 Academic session in the sum of **TWO HUNDRED AND SIXTY SEVEN THOUSAND NINE HUNDRED AND FIFTY NAIRA (N 267,950.00)** the defendant has refused to offset same.

Hence the claimant is aggrieved and prays the Court to make the following orders:

A]. AN ORDER directing the defendant to pay the sum of **TWO HUNDRED AND SIXTY-SEVEN THOUSAND NINE HUNDRED AND FIFTY NAIRA (N 267,950.00)** being outstanding balance of his children School fees to the claimant without delay.

B]. AN ORDER against the defendant to pay **TWO HUNDRED THOUSAND [N 200,000.00]** to the Claimant as general damages.

C]. And for any further order(s) this Honourable Court may deem fit to make in the circumstances of this case.

The following documents were admitted in evidence and marked as;

EXHIBIT A: The breakdown of tuition fees.

EXHIBIT B: Evidence of payment of tuition fees.

EXHIBIT C: The chat messages that was forwarded from the defendant's phone to the claimant.

Although the defendant was served with all the statutory notices he failed to appear in Court. It is trite that a Court is at liberty to accept to accept and act on unchallenged or uncontroverted evidence as long as same is credible and believable. I refer and rely on the case of **FIDELITY BANK PLC V. SAGE COM CONCEPTS LIMITED & ANOR (2025) LPELR-81172(SC) Pp 51-52 paras E-N.**

On the whole the case of the Claimant succeeds.

I]. AN ORDER IS HEREBY MADE directing the defendant to pay the sum of **TWO HUNDRED AND SIXTY-SEVEN NINE HUNDRED AND FIFTY NAIRA (N 267, 950.00)** being outstanding balance of the defendant's wards school fees.

II]. I award **TWO HUNDRED THOUSAND NAIRA (N 200,000.00)** to the claimant.

In the avoidance of doubt the defendant shall pay the sum of FOUR HUNDRED AND SIXTY-SEVEN THOUSAND NINE HUNDRED AND FIFTY NAIRA (N 467,950.00)

DAMKWA REGINA ALASHI (MRS) ESQ.

SENIOR DISTRICT JUDGE

SMALL CLAIMS COURT

24TH November, 2025.

DATE: 24.11.2025

CORAM: SAME

CLAIMANT: PRESENT

DEFENDANT: ABSENT

COURT: JUDGMENT READ IN THE OPEN COURT THIS 24TH NOVEMBER, 2025.

EXHIBIT SHALL BE RETURNED TO THE CLAIMANT IF THERE IS NO APPEAL.

DAMKWA REGINA ALASHI (MRS) ESQ.

SENIOR DISTRICT JUDGE

SMALL CLAIMS COURT

24TH November, 2025.