

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT JABI

THIS 31ST DAY OF MARCH, 2021

BEFORE HIS LORDSHIP: THE HON. JUSTICE A.A FASHOLA

SUIT NO: FCT/HC/CV/308/2021

BETWEEN:

MUYIWA OLUMILUA OF MUYIWA OLUMILUA & ASS. PLAINTIFF

AND

MRS IHEMERE BEAUTY..... DEFENDANT

CONSENT JUDGMENT

The plaintiff by an action commenced by writ of summons dated 3rd day of February and filed on the 5th day of February 2021 against the defendant for the following reliefs:-

1. An order of this Honourable court that the defendant give immediate vacant possession of the premises occupied by her to the Claimant, that is a three (3) bedroom apartment with one room boy's quarters

situated at Flat 2, A Sandy lane apartment, Reuben Okoya Street, Wuye District Abuja.

2. The defendant pays the sum of N5, 600,000.00 (Five Million, Six Hundred Thousand Naira) being arrears of rent for 2 years and 9 months from 1st March 2018 to 28th of February 2021 at a yearly rent of N2, 300,000.00K (Two Million, Three Hundred Thousand Naira) and mense profit at a monthly rate of N191, 666.70K From 1st March 2021 till the defendant give up possession of the premises.
3. An order of court directing the defendant to put the premises in a good and tenantable condition with all the fixtures and fittings in good conditions as they were before the defendant took possession of the premises and to pay all outstanding utility bills used while in occupation.
4. The sum of N650, 000.00 (Six Hundred and Fifty Thousand Naira) being the cost of this suit to the claimant against the defendant.

I have read and considered the terms of settlement as reproduced below jointly executed by the parties which was presented to the Honourable Court for adoption as follows:

1. The defendant having paid an additional sum from the outstanding sum of N5,600,000.00 will pay the balance as at 28th February 2021 and the newly agreed rent of

- N2,500,000.00 from 1st March 2021 to 28th February 2022 when she will yield vacant possession to the Claimant
2. The defendant will therefore pay the total outstanding rent of N7,500,000.00 via bank transfer to the claimant's bank account in Four (4) installments as follows:
 - a. The 1st installment of N1,875,000.00 on or before the 15th day of April 2021.
 - b. The 2nd installment of N1,875,000.00 on or before the 5th day of July 2021
 - c. The 3rd installment of N1,875,000.00 on or before the 5th day of October 2021
 - d. The 4th installment of N1,875,000.00 on or before 5th day of January 2022.
 3. It is further agreed that the defendant shall pay all utility bills consumed on the premises before vacating same and leave the premises in a tenantable manner.
 4. The defendant shall pay till the date she vacates the premises, she will not pay beyond the day she vacates the premises
 5. That in the spirit of settlement the parties shall bear the cost of this action.

In view of the forgoing, terms of settlement filed on the 30th day of March 2021 is hereby adjudged as Judgment of the Court.

Appearances: parties, Representative of the claimant in court in person of Obiageli Akuchie Chukwuneke

Olaniyi Oyinloye for the Claimant

Franklin M Figilo for the defendant.

Signed
Hon. Presiding Judge
31st/03/2021