

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY  
IN THE NYANYA JUDICIAL DIVISION  
HOLDEN AT COURT 8 NYANYA ABUJA ON THE 2<sup>ND</sup> DAY OF  
FEBRUARY, 2021

BEFORE HIS LORDSHIP, HON. JUSTICE U. P. KEKEMEKE  
SUIT NO: FCT/HC/CV/1999/2020

COURT CLERK: JOSEPH BALAMI ISHAKU

BETWEEN:

VITAL SOURCES INDUSTRIES

LIMITED.....CLAIMANT

AND

DEFENCE CITY PROJECT LIMITED.....DEFENDANT

### JUDGMENT

This Motion for summary Judgment is brought pursuant to Order II Rule 1 of the FCT High Court (Civil Procedure)Rules 2018.

It is supported by a 9 paragraph Affidavit.

The deponent deposes that the Writ of Summons and Statement of Claim is for a liquidated sum owed to the Claimant by the Defendant which is due and outstanding.

It is money expended on the Defendant's project under a contract for which the Defendant has failed to live up to the end.

That the Defendant has no defence.

The Defendant was served with all the processes including this Motion but failed to enter a defence.

In the circumstance the only duty of Court is to enter summary Judgment.

Judgment is hereby entered in favour of the Claimant against the Defendant as follows:

1. That the Defendant is in breach of the agreement dated 3<sup>rd</sup> August 2018 executed between the Claimant and the Defendant.
2. The Defendant is ordered to pay N12,562,366.00 representing the value of work done on the Defendant's one unit at the project site at the Defence City Karshi Abuja.
3. The Defendant shall further pay N4,338,444.00 to the Claimant being 1% management fee collected from the Claimant by the Defendant.
4. N2 Million as general damages.

5. 10% interest per annum on the Judgment debt from the date of Judgment till the Judgment sum is finally liquidated.

N300,000 as cost of the action.

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**HON. JUSTICE U.P. KEKEMEKE**  
**(HON. JUDGE)**  
**02/02/21**

Claimant represents Ayeni Adesoji Gold (Mrs.)

Defendant absent.

Olufemi Ifabunmi for the Claimant.

Signed.

Hon. Judge.

02/02/21