

**IN THE HIGH COURT OF JUSTICE OF THE FEDERAL CAPITAL TERRITORY**

**IN THE ABUJA JUDICIAL DIVISION**

**HOLDEN AT MAITAMA, ABUJA**

**BEFORE HIS LORDSHIP: HON. JUSTICE H. MU'AZU**

**ON TUESDAY 6<sup>th</sup> DAY OF JULY, 2021**

**BETWEEN:**

**SUIT NO. FCT/HC/CV/3251/2020**

1. AISHA AUWAL BAYERO
2. AUWAL ADO BAYERO
3. ABUBAKAR AUWAL BAYERO
4. FATIMA AUWAL BAYERO
5. ABDULHAMID ADO BAYERO
6. UMAR ADO BAYERO
7. AISHA AHMED DATTI
8. FATIMA ABUBAKAR SULEIMAN
9. SULEIMAN ABUBAKAR
10. MUHAMMED HABIB ABUBAKAR
11. ABUBAKAR MUHAMMED HABIB
12. NAYAATU MANGA
13. MUNIRAT MANGA
14. UMMI SANI SAID
15. UMMI ABDULLAHI RUFAI
16. BASHEER A. MAIGARI
17. USMAN MUHAMMED KOLLERE
18. HAUWA ABDULLAHI KOLLERE
19. FATIMA HAMZA ABUBAKAR
20. YUSRA ABDULFATAH IDRIS
21. MUHAMMAD MUSA SHEIK
22. RAHAMA HAMZA ALHASSAN
23. BINTA MUSTAPHA YUSUF
24. AISHA MUHAMMAD

...CLAIMANTS

25. **GLORY LEWIS OBIANYI**
26. **SOWARI WEINER KIL**
27. **AMINA DANLAMI ALHASSAN**
28. **AMINA YUSUF**
29. **AMINA GARBA**
30. **FAIZA MUHAMMED UMAR**
31. **FAIZA SHEHU SATATIMA**
32. **KANGROT PETER GUTAU**
33. **MUSA AJI**
34. **TAWFEEQ HAMMA SALEH**
35. **SEIDAT TINUKE ONI**
36. **KAFIYAT OLUSENYA ONI**
37. **TAWFEEKAT OLUWA BUKOLA ONI**
38. **AHMED AKINWOLE ONI**
39. **ZATIFA A. MUHAMMED**
40. **ABUBAKAR SADIQ BELLO**
41. **FAUDA SHEHU**
42. **HUZAIFA HAMMARIYODA YERO**
43. **SAKINA HAMMARIYODA YERO**
44. **AMINA MUHAMMED K.**
45. **HAUWA MUHAMMED IBRAHIM**
46. **ENO BABALOLA**
47. **RACHYAT IBRAHIM**
48. **FRANCIS JOSEPH BELGA**
49. **OYEDIRAM OPEYEMI**
50. **AISHA MUKHTAR ABUBAKAR**
51. **OYEDIRANRAFIAT IFEOLUWA**
52. **ABDULLAHI ABDURRATIMAN BARDA**
53. **OLAMIDE BRYAN BABALOLA**
54. **OYEDIRAN OPEYEMI KABIRAT**
55. **AMINA MUKHTAR ABUBAKAR**
56. **HAUWA ABUBAKAR**
57. **JAMILA MURTALA ARDO**
58. **HAUWA PURCHI DANGO**
59. **EZEObi CHISOME JOY**
60. **KHADIJAH MUKHTAI**
61. **RUQUYYA ABUBAKAR MAJE**
62. **MARVIN EGBO**
63. **FATILA MUKHTAR ABUBAKAR**
64. **HABILA AUCHI BEDDA**

...CLAIMANTS

65. **JAMELA USMAN JIKA**
66. **KHADIJAH YUSUF**
67. **ASMARU YUSUF**
68. **AISHA USMAN BAYERO**
69. **MARYAM BASHIR WALI**
70. **HAMZA IBRAHIM MUSA**
71. **ZAINAB MANSUR SARKI**
72. **IMAMU RAMADAN OLUWASEYUN**
73. **MIYIBU MUHAMMED**
74. **SAFIYA SAROHU ALIYU**
75. **FATIMA ABBAS ISAH**
76. **ARMIYAU UMAR BABA**
77. **KABIRU TIJANI HASHIM**
78. **HABIBA ABBASS**
79. **KHACHIJA MAGAYI BUBA**
80. **BARAKA ABUBAKAR GUMMI**
81. **SUMAYYA BUNZA MUSTAPHA**
82. **HAUWA MUHAMMED IBRAHIM**
83. **ZAINAB YAHYA MUHAMMED**
84. **MACHINAUSMAN MAGAWA**
85. **ZAINAB MUHAMMED HARUNA**
86. **IMRAN HARUNA MANU**
87. **IMAN HARUNA MANU**
88. **HARUNA MANU HARUNA**
89. **AISHA MANU HADDAU**
90. **HASSAN MANU UMAR**
91. **MABELI TECHNOLOGIES LTD**
92. **SOFTLINKS SYSTEM LTD**
93. **GREENLINKS STANDARD SYNERGY LTD**
94. **MABELI ENGINEERING SERVICES LTD**
95. **GREENLINKS BUSINESS CONCEPTS LTD**
96. **FATIMA IMAM**
97. **RAHAMA BALA SAULAWA**

**...CLAIMANTS**

**AND**

1. **ENGR. BABAGANA ABBA DALORI**
2. **GALAXY TRANSPORTATION & CONSTRUCTION SERVICES LTD**

**..... DEFENDANTS.**

## JUDGMENT

Pursuant to Order 35 of the High Court Rules 2018 this matter was filed on the 25/11/2020 and dated same was duly marked “Undefended” on the 25/01/2021 wherein the Claimant claim the following against the Defendants.

- (1) The sum of ₦3,263,816,344.58 (Three billion, two hundred and sixty-three million, eight hundred and forty-four Naira, fifty-four kobo) being the investment received by the Defendants from the Claimants.
- (2) The sum of ₦50,000,000.00 (Fifty Million Naira) only as general damages for the inconveniences caused by the Defendants.
- (3) The sum of ₦20,000,000.00 (Twenty Million Naira) only as specific damages for the inconveniences caused by the Defendants.
- (4) Post Judgment interest at the rate of 10% until the Judgment sum is fully liquidated.
- (5) The sum of ₦2,000,000.00 (Two Million Naira) only as cost of the suit.

In compliance with the rule of this Court, the Claimant filed an affidavit deposed to by Enobong Ekwere Ndah a legal practitioner dated 25/11/2021.

The case for the Claimant as distilled from affidavit in support of writ of summons is that the Claimants entered into a business transaction with the Defendant jointly and severally between 2017 to 2019.

The nature of business between the Claimants and the Defendants is that the Claimant as client would invest money in a defined business package like SAND PURCHASE PACKAGE (SPP), TIPPER/TRUCK BUSINESS PACKAGE (TBP), SPECIAL INVESTMENT PACKAGE (SIP), BUS SEAT PACKAGE (BSP) and SAND PURCHASE SPECIAL PACKAGE (SPSP) and within a specified period will be paid the money invested (Capital) and their return on investment which they are at liberty to reinvest after maturity of a contract.

The contracts are as in paragraph 4 (c) (i – vii) of the supporting affidavit and in Exhibits DHB I – DHB 10.

It is in evidence that the Claimants has approached the Defendants formally for payment vide Exhibit DHB II (A Demand Letter).

The Deponent in the affidavit in support averred that the Defendant has no defence to this suit.

The Defendants in this matter, though duly served with the processes neglected and ignored to file notice of intention to

defend this action in line with Order 35 Rule 3 (1) of the Rules of this Court.

This leaves the Court with an uncontested claim which has been duly marked “Undefended” having met the basic criteria under Order 35 of the Rules of this Court.

Indeed, the procedure under Order 35 is meant to relieve the Court and parties of the rigours of pleadings and burden of going through a full trial by the Court.

I must observe that parties to a contract are bound by the clear words of the contract and in the absence of any contest, I shall therefore enter judgment in favour of Claimant in line with Order 35 Rule 4 of the Rules of this Court.

I hereby enter Judgment for the Claimants in the sum of ₦2,562,499,414.15 (Two billion, five hundred and sixty two million, four hundred and Ninety nine thousand, four hundred and fourteen naira, fifteen kobo, represent amounts due to the Claimants as provided in paragraph (4) (c) i-vi in full and amount due as of today in sub paragraph (c) vii of the supporting affidavit. And post Judgment interest of 10% until the judgment sum is fully liquidated. The sum of ₦2,000,000.00 (Two million Naira) as cost of suit is equally awarded. This is the judgment of the Court.

SGND.  
HON. JUDGE  
6/7/2021.

## Legal Representations

1. Sanusi Salisu Dakat, Esq, for the Claimants.
2. Counsel for the Defendants is absent