

**IN THE HIGH COURT OF JUSTICE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION**

HOLDEN AT HIGH COURT MAITAMA –ABUJA

BEFORE: HIS LORDSHIP HON. JUSTICE S.U. BATURE

COURT CLERKS: JAMILA OMEKE & ORS

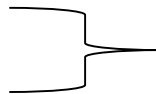
COURT NUMBER: HIGH COURT NO. 24

CASE NUMBER: SUIT NO. FCT/HC/CV/248/2022

DATE: 24/5/2022

BETWEEN:

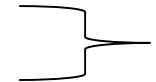
- 1. MR. OKENNA AGUNECHÉ**
- 2. DILINNA DAVID OKENNA**



CLAIMANTS/APPLICANTS

AND

- 1. AFROLYK GLOBE LIMITED**
- 2. MR. ILIASU AUDU**



DEFENDANTS/RESPONDENTS

APPEARANCE:

Ikechukwu Maledo Esq for the Claimant.

IfeanyiChukwu Ugwu Anichi Esq for the Defendant.

CONSENT JUDGMENT

The parties in this suit have filed terms of settlement today being the 24th day of May, 2022. The said terms of settlement provides thus:-

WHEREAS:

- i. By a Write of Summons, filed on the 28th of January, 2022, the Claimants sought various reliefs against the Defendant and Mr. Iliasu

Audu the MD/CEO of the Defendant, over and in respect of four shops over and in respect of four shops at the Defendant's shopping Mall situate at and known as Vegas Mall, Cadastral Zone A05, Wuse 2, Abuja FCT.

- ii. By a Motion on Notice also dated the 28th of January, 2022, the Claimants also sought an Order of interlocutory injunction to restrain the Defendants from re-allocating or alienating to any third party the interest of the Claimants in the said four shops.
- iii. By a Motion on Notice dated 25th April, 2022, the Defendants sought an order striking out the name of Mr. Iliasu Audu as a party (2nd Defendant) to the suit.
- iv. In the course of the proceedings, Counsel to the parties notified this Honourable Court that the parties have elected to explore an amicable settlement of the suit and that Terms of settlement would be duly filed, upon settlement of the dispute.
- v. In furtherance of that, the name of the said Mr. Audu was struck out from the suit as the 2nd Defendant on the application of the Defendant in the course of the suit.
- vi. The parties have now voluntarily reached an agreement on the dispute between them.

Whereas the parties have agreed to amicably settle the dispute that led to this suit on the terms stated below:-

- i. The Claimants shall relinquish and hereby relinquishes their Claims to and ownership of one of the said 4 (four) shops to the Defendant.

- ii. The Claimants shall retain 3 (three) shops out of the said 4 (four) shops, but shall pay the Defendant an additional sum of ₦5,000,000.00 (Five Million Naira) net for the purchase price for the three shops.
 - iii. One of the 3 shops to be retained by the Claimants shall be located on the ground floor of the shopping mall, while the other two shops shall be located on the first floor of the Shopping Mall as already identified by the parties.
 - iv. The Defendant shall build a staircase to connect the shop on the ground floor to one of the shops on the first floor at no extra cost to the Claimants.
 - v. With the increase of the purchase price for the three shops by NGN 5,000,000.00 net, the amount due and payable by the Claimants to the Defendant for the three shops shall be the sum of NGN 88,000,000.00 (Eighty-Eighty Million Naira) net only.
- b. Prior to the institution of this suit, the Claimants had paid the sum of NGN 45,000,000.00 (Forty Five Million Naira) net only in instalments to the Defendant as part payment of the purchase price.
 - c. During the pendency of this suit and in furtherance of this settlement the Claimant paid the additional sum NGN 5,000,000.00 net and NGN 2,000,000.00 net only (a combined sum of NGN 7,000,000.00) in two instalments to the Defendant.
 - d. With the payment of the combined sum of NGN 7,000,000.00, the Claimant has paid a total of NGN 52,000,000.00 net leaving an outstanding of NGN 36,000,000.00 net.

- e. The outstanding balance ₦36,000,000.00 (Thirty-Eight Million Naira) net shall be paid by the Claimants to the Defendant within not more than six months from the 1st day of May, 2022, provided that the payment can be effected in instalments or via one bullet payment by the Claimants within the said six month's time frame.
- f. The Defendant shall put the Claimants in possession of the three shops upon completion of the construction of the shopping Mall.
- g. The parties agree that these terms of settlement be entered as the Judgment of this Honourable Court in this suit.

Now, parties having duly executed and adopted the said terms of settlement dated 24th day of May, 2022 filed same day, same is hereby entered as consent judgment in this suit before this Honourable Court.

Signed:

***Hon. Justice S. U. Bature
24/5/2022.***