

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

BEFORE HIS LORDSHIP: HON. JUSTICE MUHAMMAD S. IDRIS

COURT: 28

DATE:-24th JANUARY, 2023

FCT/HC/CV/3436/2022

BETWEEN:

DIRECT CONCEPT LIMITED-----

CLAIMANT

AND

BABS INTEGRATED LIMITED -----

DEFENDANT

JUDGMENT

The Claimant's claims as contained in the write of summons and statement of claim dated 12th day of October 2022 and filed in the court's registry on the 13th day of October, 2022 are as follows:-

1. An order of this Honourable Court against the Defendant to vacate and give vacant possession of the 5 bedroom semi – detached Duplex with 2 rooms servants quarter situate at No 27B Udi Hill street, Aso drive, Maitama Abuja to the Claimant.
2. An order of this Honourable Court against the Defendant to pay the claimant the sum of N1,208,333.33 (One Million Two Hundred and Eight Thousand, Three Hundred and Thirty- Three Naira Thirty- Three Kobo) only per month as mesne profit, from 6th June, 2022 until the defendant delivers up vacant possession of the premises to the Claimant.

3. Ten percent interest on the total sum after judgment until the entire judgment sum is liquidated.

The originating Court processes were duly served on the Defendant and memorandum of appearance was filed entering appearance for the Defendant. On 24th day of January, 2023 when the matter came up for hearing, Plaintiff Counsel informed the Court that the matter has been amicably settled out of Court and that terms of settlement dated 18th January, 2023 and filed on 23rd January, 2023. Learned Counsel for the Plaintiff applied that the terms of settlement filed in the Court's Registry be entered as consent judgment in the case, Counsel to the Defendant informed the Court that he agreed with the position of the Plaintiff Counsel.

The terms of settlement as mutually agreed by parties are in the following terms:-

1. The Defendant has agreed to vacate and give vacant possession of the 5-bedroom semi – detached Duplex, with 2 Rooms servants quarter situate at no 27B Udi Hill Street, Aso Drive, Maitama, Abuja to the Claimant on or before the 28th February, 2023.
2. The Defendant has agreed to pay the Claimant the sum of N1,208,333.33 (one Million Two Hundred and Eight Thousand, Three Kobo) only per month as mesne profit from 6th June, 2022 until the Defendant delivers up vacant possession of the premises to the Claimant.
3. The Defendant has agreed to pay to the Claimant ten percent(10%) interest on the total sum after judgment until the entire judgment is liquidated.

The above terms were duly executed by the parties in the matter and their witness. Where parties settle and then prepare terms of settlement which

they embody in a document and apply to Court for same to be entered as consent judgment in the action, the duty of Court at that point is limited to give effect to the express intentions of parties as embodied in the filed terms of settlement.

According, the terms of settlement dated 18th January, 2023 and filed on 23rd January, 2023 having been duly executed by the parties and their respective witnesses, same is hereby entered as consent judgment in this action.

HON. JUSTICE M.S IDRIS
(Presiding Judge)