

IN THE DISTRICT COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA MAGISTERIAL DISTRICT
HOLDING AT ABUJA

SUIT NO. *CV/679/19*

BETWEEN

ALHAJI ABUBAKAR ABDULKADIR

..... PLAINTIFF

AND

ABDULATEEF EJIWUNONI

..... DEFENDANT

TO:

The Registrar
The District Court of the Federal Capital Territory,
Life Camp, Abuja.

Dear Sir,

APPLICATION FOR ISSUANCE OF PLAINT

Please do cause a **PLAINT** to be issued in favour of the plaintiff against the defendant in the following terms:

1. The plaintiff is the landlord of the defendant in respect of a THREE (3) BEDROOM Flat situated at Plot 1242, Godwin Ogbadu Street, B07 Katampe District, Abuja FCT.
2. The defendant was a yearly tenant of the plaintiff's aforesaid property for a certain term paying the agreed rent of ₦1, 200.000 (One Million Two Hundred Thousand Naira) per annum.
3. The Defendant paid his rent for the first term of his tenancy which commenced on the 1st of November 2016 and terminated on the 30th of November 2017, the sum of ₦1, 200.000 (One Million Two Hundred Thousand Naira) only.
4. The Defendant paid half of his annual rent for the second term of his tenancy which commenced on the 1st of December 2017 and terminated on the 30th of November 2018, the sum of ₦600,000.00 (Six Hundred Thousand Naira) only.
5. The Defendant's tenancy tenure for the second term has been determined by the effluxion of time and expired on the 30th of November, 2018. But the Defendant has not

*fee #250
Seq #200
Ann #20
#470
R/N - 11620318
Date - 26/9/19*

paid the Plaintiff the balance of his rent which is the sum of ₦600,000.00 (Six Hundred Thousand Naira) only.

6. That since the 1st of December, 2018 the defendant has been a tenant at will, refusing to make any form of payment till date despite several demands.
7. The Plaintiff has served the Defendant with seven (7) days Notice to quit dated 3rd May, 2019 and served on the 4th May, 2019.
8. At the determination of the Notice to quit on the 14th May 2019 the Defendant still refuse to vacate possession.
9. The plaintiff has also served the Defendant with seven (7) days Notice of Owner's Intention to Recover Possession dated 30th August 2019 and served on the 15th of September, 2019.
10. At the determination of the Notice of Owner's Intention to Recover Possession the defendant still refuse to vacate possession.

WHEREOF THE PLAINTIFF CLAIMS AGAINST THE DEFENDANT AS FOLLOWS:

1. Possession of the Plaintiff's aforesaid premises being a THREE (3) bedroom flat situated at, Plot 1242, Godwin Ogbadu Street, B97 Katampe District, Abuja FCT from the defendant.
2. Balance of the remaining half of the rent paid by the Defendant for the second term of his tenancy which is the sum of ₦600,000.00 (Six Hundred Thousand Naira) only.
3. Arrears of rent owed to the Plaintiff by the Defendant from the 1st of December 2018 till date.
4. Mesne profit at the monthly rate of ₦100,000.00 (One Hundred Thousand Naira only) from 30th November 2018 running till the Defendant finally delivers up possession or until Judgment is delivered and possession is given to the plaintiff.
5. 10% annual interest on the judgment sum from the date of judgment till when defendant finally liquidates the entire judgment sum.
6. The cost of filing this suit.

Dated this 25th day of September, 2019



Dayo Ashonibare,LLM. ACI Arb. (UK) ✓

Rose Ene-Okwori

Simon Maishe Inusa

Plaintiff's Counsel

Levite Solicitors & Arbitators

Suite SF22 Anafara'a Plaza,

First Avenue, Gwarimpa,

Abuja. F.C.T

08033661414

Levitesolicitors@gmail.com

FOR SERVICE ON:

THE DEFENDANT

Mr. Abdullateef G. Ejiwunmi

at Plot No 1242, Godwin Ogbadu

Street, B07 Katampe District,

Abuja. F.C.T



RECOVERY OF PREMISES (LAW) (CAP. 115)

FORM A

Section 7
Laws of N.N. 1983

NOTICE TO QUIT SIGNED BY THE LANDLORD HIMSELF

To ABDULLATEE F. ESIMIN

Plot 1242, Ahmadu Bello

Street, B07 KUMPE DISTRICT
ABUSA

Sir,

I hereby give you notice to quit and deliver up possession of the (house or farmland)

and premises, with the appurtenances situate at Plot 1242, Ahmadu Bello

Street, B07 KUMPE DISTRICT, in the town (or district) of ABUSA

in the State of ABUSA

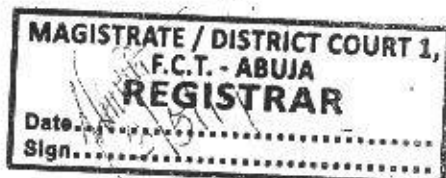
which you hold of me as tenant thereof, on the THIRTY day of

MAY, 2017 next (or at expiration of your tenancy which

shall expire next after the end of 7 months

from the service of this notice).

Dated the 3rd day of MAY, 2017



Yours,

[Signature]

ABDULLATEE F. ESIMIN

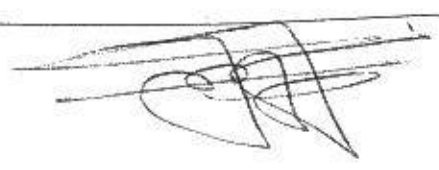
PLCOT

CT SERVICE

NAME

Ejimaani Abdullof

SIGN



DATE

1st May, 2019

ADD.

Agry.

IN THE CHIEF DISTRICT COURT OF THE FEDERAL CAPITAL, TERRITORY
IN THE FEDERAL CAPITAL TERRITORY MAGISTERIAL DISTRICT
HOLDEN AT WUSE - ABUJA.

FORM E

NOTICE TO TENANT OF OWNER'S INTENSION TO APPLY TO RECOVER POSSESSION

To ABDULATEEF G. ETIMU
OF PLOT 1242, GODWIN OGBADIN STREET
BD7 KATAMPE DISTRICT, ABUJA

Sir,

ALH. ABUBAKAR ABDULKADIR

Owner or agent to

the owner

hereby give you notice, that unless peaceable possession of the premises

3 (THREE)

BED ROOM APARTMENT

Situate at

PLOT 1242

GODWIN OGBADIN STREET, BD7 KATAMPE DISTRICT, ABUJA

which were held of me or the said

3 (THREE)

BED ROOM APARTMENT

under a tenancy from year to year

YEARLY

which expired or was determined by notice to quit from the

said 3 (THREE) BED ROOM

otherwise

on the

day of NOVEMBER 2018

and which premises are now held over and detained

from the said

LANDLORD

he given

ALH. ABUBAKAR ABDULKADIR

the owner or agent on or before the

expiration of seven (7) clear days from the service of this notice,

ALH. ABUBAKAR ABDULKADIR

shall on THURSDAYS

next, the

12TH

day of SEPTEMBER 2019

by 9:00 AM clock of

same day, at CHIEF DISTRICT COURT, FCT-ABUJA apply to the court

issue a warrant directing an appropriate person on to enter and take possession of the said premises

and to eject any person therefrom.

DATED THIS

30TH

DAY OF

AUGUST, 2019

SIGNED

OWNER/AGENT

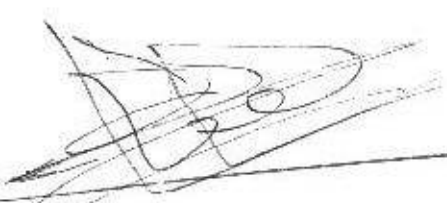
ALH. ABUBAKAR ABDULKADIR



PROOF OF SERVICE

NAME ABAYUATEF EJIWUNOMI

ADDRESS PLOT 12402, CASERIAL DISTRICT KATAME
~~AGAJA~~

SIGN 

DATE 15TH SEPT, 2019

IN THE CHIEF DISTRICT COURT OF THE FEDERAL CAPITAL, TERRITORY
IN THE FEDERAL CAPITAL TERRITORY MAGISTERIAL DISTRICT
HOLDEN AT WUSE - ABUJA.

FORM E

NOTICE TO TENANT OF OWNER'S INTENSION TO APPLY TO RECOVER POSSESSION

To ABDULATEEF G. EJIWU
PLOT 1242, GOSWIN OGBADU STREET,
BD7 KATAMPE DISTRICT, ABUJA.

original copy
received
08/07/2019


Sir,

ALH. ABUBAKAR ABDULKADIR

Owner or agent to

the owner OF 3 BEDROOM FLAT do

hereby give you notice, that unless peaceable possession of the premises

GOSWIN OGBADU STREET, BD7 KATAMPE Situate at PLOT 1242,
which were held of me or the said 3 BEDROOM FLAT

YEARLY TENANT under a tenancy from year to year
said 3 BEDROOM FLAT which expired or was determined by notice to quit from the

otherwise DELIVER UP POSSESSION on the 9TH NOVEMBER 2018
day of JULY 2019 and which premises are now held over and detained

from the said LANDLORD he given to
ALH. ABUBAKAR ABDULKADIR the owner or agent on or before the

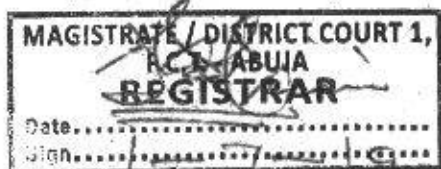
expiration of seven (7) clear days from the service of this notice,

ALH. ABUBAKAR ABDULKADIR shall on TUESDAY next, the

day of JULY 2019 by 9:00 o'clock of the

same day, at CHIEF DISTRICT COURT F.C.T. ABUJA apply to the court to
issue a warrant directing an appropriate person on to enter and take possession of the said premises,
and to eject any person therefrom.

DATED THIS 1ST MONDAY DAY OF JULY 20 19



SIGNED

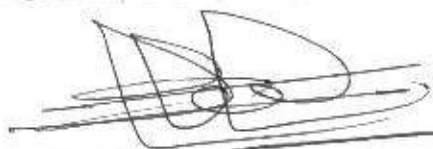

OWNER/AGENT

Tr of Service

Name = Ejiofori Abdullahi

Name Ejiofori Abdulbaki

Sign



Date

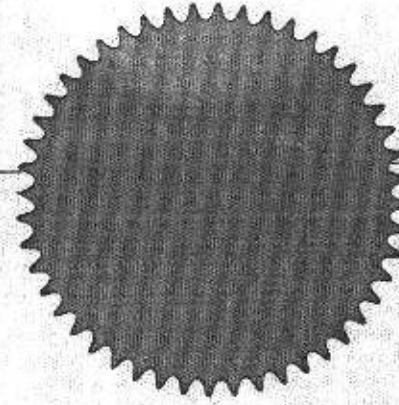
~~19~~ 07 - 2019

ADD

Plot, 1242 KARAME DISTRICT ABOKA

**CERTIFICATE OF JUDGMENT
IN THE MAGISTRATE/DISTRICT COURT 2, HOLDEN AT LIFE CAMP F.C.T. ABUJA**

TITLE OF SUIT AND DATE OF COMMENCEMENT	FORM OF NATURE OF SUIT	NAME AND ADDRESS OF PARTY TO WHOM PAYMENT IS TO BE MADE OR IN WHOSE FAVOUR JUDGMENT IS GIVEN OR MADE	NAME AND ADDRESS OF PARTY ORDERED TO PAY MONTHLY OR TO DO OR NOT TO DO ANY ACT	DATE OF JUDGMENT	DATE OF ABSTRACT OF JUDGMENT STARTING AMOUNT (IF ANY ORDER TO BE PAID THE RATE OF INTEREST IF ANY) PAYABLE THEREON AND THE DATE FROM WHICH IT IS PAYABLE AND PARTICULARS OF ANY ACT ORDERED TO BE DONE OR NOT TO BE DONE
CV/205/2019 5-11-2019	POSSESSION, ARREARS OF RENT, MESNE PROFIT AND COST OF ACTION	ALHAJI ABUBAKAR ABDULKADIR C/O PLAINTIFF COUNSEL OF SUITE SF22, ANAFARA'A PLAZA, FIRST AVENUE, GWARINPA, ABUJA.	ABDULATEEF EJIWUNONI OF PLOT NO. 1242, GODWIN OGBADU STREET, BO7, KATAMPE DISTRICT, ABUJA, FCT.	27-7-2020	JUDGMENT ENTERED IN FAVOUR OF THE PLAINTIFF. THE TERMS OF SETTLEMENT BEFORE THE COURT WHICH HAS BEEN SIGNED BY ALL THE PARTIES DATED THE 27 TH DAY OF JULY, 2020 AND FILED THE 27 TH DAY OF JULY, 2020 IS HEREBY ADOPTED AS THE CONSENT JUDGMENT OF THIS HONOURABLE COURT AS FOLLOWS 1. The Defendant shall pay to the Plaintiff the sum of ₦1,000,000.00 (One Million Naira Only) as agreed upon by parties herein as full and final payment of the outstanding rent. 2. That the amount stated above shall be paid to the Plaintiff's Solicitor Messrs LEVITE SOLICITOR & ARBITRATORS represented by DAYO ASHONIBARE, ESQ of Counsel or installments. 3. That the Defendant herein shall deliver to the Plaintiff vacant possession of the demised premises being 3 Bedroom Flat and its appurtenances lying and situate at Plot No. 1242 Godwin Ogbadu Street, Bo7, Katampe District Abuja, FCT on or before 31 st August, 2020.



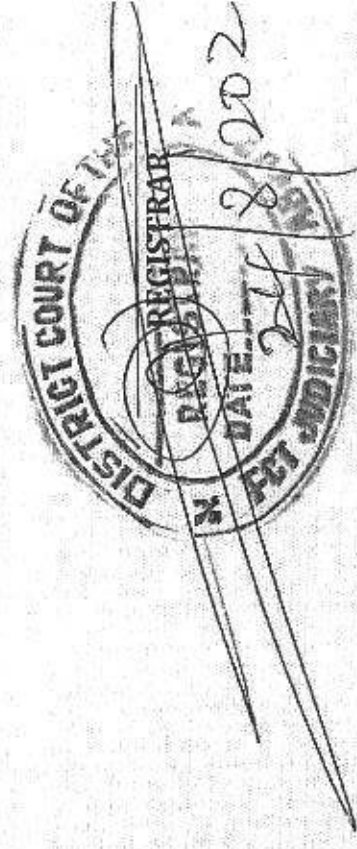
4. That as demonstration on good faith and commitment to (i-iii) above the Defendant shall pay reasonable sum of the agreed sum stated in (i) above to the Plaintiff's Solicitors Messrs LEVITE SOLICITOR & ARBITRATORS represented by DAYO ASHONIBARE, ESQ of Counsel on or before delivering vacant possession.

5. That paragraph (i-iv) above shall be construed and adopted as consent judgment of this Honourable Court and binding on the parties herein without prejudices to the final decision of the Honourable Court.

This is the judgment of the court.

I hereby certify that this certificate correctly and fully sets forth the particulars of Judgment given in this court on 27th day of July, 2020 in suit where in **LHAJI ABUBAKAR ABDULKADIR** the Plaintiff and **ABDULATEEF EJIWUNONI** the defendant.

Dated this 21st day of August, 2020.



Dated this 27th day of July, 2020

PLAINTIFF

COUNSEL :

Witness:

Name:

Date:

Signature:

~~_____
DEFENDANT~~

COUNSEL:

Witness:

Name:

Date:

Signature



Dated this 27th day of July, 2020

Amu Sam.
PLAINTIFF

COUNSEL:

[Signature]
27/07/2020



Witness:

Name: Abbas Abubakar Bawa Ali

Date: 27 - July - 2020

Signature: Amu Sam.

[Signature]
DEFENDANT

COUNSEL:



Witness:

Name: Abdulkareem Ejirinmi

Date: 27/7/2020

Signature [Signature]

