



**PRACTICE DIRECTIONS OF THE KOGI STATE SMALL
CLAIMS COURT, 2024**

BY

HON. JUSTICE JOSIAH JOE MAJEBI

THE HON. CHIEF JUDGE OF

KOGI STATE

TABLE OF CONTENTS	PAGE
ARRANGEMENT OF ARTICLES	
ARTICLE 1: CITATION, COMMENCEMENT AND INTERPRETATION.....	1
ARTICLE 2: OBJECTIVES	2
ARTICLE 3: COMMENCEMENT OF ACTION.....	2
ARTICLE 4: MARKING AND PAYMENT OF FILING FEES	3
ARTICLE 5: ASSIGNMENT OF SMALL CLAIMS FILES	3
ARTICLE 6: SERVICE OF SUMMONS	3
ARTICLE 7: FILING DEFENCE/ADMISSION/COUNTER-CLAIM	4
ARTICLE 8: COUNTER-CLAIM	4
ARTICLE 9: NON-APPEARANCE	5
ARTICLE 10: PROCEEDINGS AT THE HEARING	6
ARTICLE 11: REPRESENTATION	6
ARTICLE 12: EVIDENCE	7
ARTICLE 13: JUDGMENT	7
ARTICLE 14: ENFORCEMENT OF JUDGMENT	7
ARTICLE 15: APPEALS	7
ARTICLE 16: GENERAL PROVISIONS	8
ARTICLE 17: LIST OF FORMS SCA 1-8	

PREAMBLE:

WHEREAS: by reason of the increase in commercial activities, the challenges of urbanization, harsh economic environment with the attendant inflation which has led to an increase in Commercial Litigation, there is a correspondent need for better access to Justice and speedy trial;

AND WHEREAS: there is an urgent need to establish Small Claims Court to achieve expeditious Justice delivery to enhance both Domestic and Foreign Direct Investment in Kogi State;

NOW WHEREAS: in exercise of the powers conferred on me pursuant to the provisions of S.274 of the Constitution of Federal Republic of Nigeria 1999 (as amended), Section 116(1) of the High Court Law, Cap 49 Vol.2, Laws of Northern Nigeria 1963 (as applicable in Kogi State) Section 87 of the Magistrate Courts Law of Kogi State 2020, Kogi State Magistrates' Courts Rules, 2021, these Practice Direction shall apply and be observed in the Magistrate Courts designated as Small Claims Court and by the High Court when sitting over appeals from the Small Claims Court and by virtue of other laws enabling me in that behalf, I, Hon. Justice Josiah Joe Majebi, the Hon. Chief Judge of Kogi State hereby issue the following Practice Directions.

DATED at Lokoja, this ^{3rd}..... day of September, 2024.



HON. JUSTICE JOSIAH JOE MAJEBI
CHIEF JUDGE OF KOGI STATE

ARTICLE 1: CITATION, COMMENCEMENT AND INTERPRETATION

Citation:

These Practice Directions may be cited as the Practice Directions of the Kogi State Small Claims Court, 2024. Citation

Commencement:

These Practice Directions shall come into force on this day of September, 2024. Commencement

Interpretation:

In these Practice Directions, unless the context otherwise suggests: Interpretation

“Address for Service” means the address of a place where any document may be left for, or sent by post or electronically to the party giving the address.

“Admission” means a concession or voluntary acknowledgment of the Plaintiff’s claim.

“Appeal” means applying to a High Court for a reversal of the decision of the Small Claims Court.

“Bailiff” means an officer of the Court, having various administrative functions, including service of court processes.

“Counter-claimant” means a Defendant in a Small Claims Court proceedings that sets up a claim against the original Plaintiff.

“Court” means the Small Claims Court.

“Defendant” means an individual, company, or institution sued in the Small Claims Court

“Defendant to counter-claim” means the original Plaintiff who has been sued by a Defendant.

“Fast Track Registry” means the Fast Track Registry of the High Court and Small Claims Court of Kogi State or where none specifically exists, the High Court Registry.

“High Court” means the High Court of Kogi State.

“Judicial Service Commission” means the Kogi State Judicial Service Commission.

“Legal practitioner” means a Lawyer, Counsel or Legal Representatives of the parties.

“Liquidated Money Demand” means a debt or other specific sum of money usually due and payable, ascertainable as a mere matter of arithmetic, without any other or further investigation.

“Magistrate” means any cadre of Magistrate presiding in the Small Claims Court.

“MDC” means Multi-Door Court.

“Parties” means the plaintiff(s) and the defendant(s).

“Plaintiff” means a person making a claim in the Small Claims Court.

“Registry” means the Small Claims Court Registry or where none specifically exists, the Magistrate Court Registry.

“Set-off” means an amount that is or may be set-off against another in the settlement of claims.

“Substituted Service” means the service of a Court process or summons otherwise than by personal service (as defined in Article 6 (7) of these Practice Directions).

“Summary Judgment” means a judgment entered in favour of the Plaintiff as against the Defendant summarily on affidavit evidence, i.e., without a full hearing.

“Summons” means an order to appear before the Magistrate of the Small Claims Court.

ARTICLE 2: OBJECTIVES

The objective of the Small Claims Procedure is to provide easy access to an informal, inexpensive and speedy resolution of simple debt recovery and liquidated money disputes in the designated Magistrate Courts in Kogi State.

Objectives

ARTICLE 3: COMMENCEMENT OF ACTION

Commencement of Action.

Institution
of action

1. An action may be commenced in the Small Claims Court where:
 - (a) The plaintiff or one of the plaintiffs resides or carries on business in Kogi State;
 - (b) The defendant or one of the defendants resides or carries on business in Kogi State;
 - (c) The cause of action arose wholly or in part in Kogi State;

- (d) The claim is for a liquidated monetary demand in a sum not exceeding N5,000,000 (Five Million Naira), excluding interest and costs;
 - (e) The plaintiff has served on the defendant, a LETTER OF DEMAND or a Demand Notice as in Form SCA 1.
2. The action shall be commenced by Claim upon the completion of a Small Claims Complaint Form as in Form SCA 2.
 3. The Summons shall issue as in Form SCA 3 upon the Registrar being satisfied that the requirements of 2 above have been met.

ARTICLE 4: MARKING AND PAYMENT OF FILING FEES

Marking and Payment of Filing Fees.

Where a case satisfies the criteria in Article 3 above, the Registrar or any person in charge of the Small Claims Registry shall cause the Claim to be marked “Qualified for Small Claims” and direct the Applicant to pay appropriate filing fees.

Marking,
payment of
filing fees

ARTICLE 5: ASSIGNMENT OF SMALL CLAIMS FILES

Assignment of Small Claims Files.

1. Upon the marking of the claim, the Registrar shall within twenty four (24) hours forward the case files to the Administrative Magistrate within a zone for assignment to a Magistrate of the Small Claims Court;
2. The Administrative Magistrate shall within twenty four (24) hours of receipt of the case files assign the Small Claims Files to a Magistrate of the Small Claims Court. Such case assignments shall be undertaken on a random basis.

Assignment

ARTICLE 6: SERVICE OF SUMMONS

Service of the Summons.

1. The Summons shall be served by the Registry of the Small Claims Court within seven (7) days of filing by the Sheriff/Bailiff of the Small Claims Court;
2. Upon service, the Sheriff/Bailiff of the Small Claims Court shall file an Affidavit of Service as in Form SCA 6 within two (2) days of service;
3. The provision of the Magistrates’ Courts Rules regarding mode of service, except as provided herein shall apply to any process of whatever description issued by the Small Claims Court;

Personal
Service

4. Where the Sheriff/Bailiff of the Small Claims Court is unable to serve the Summons on the Defendant within the time specified in (1) above, he shall file an Affidavit of Non-Service as in Form SCA 4 after the expiration of the time allowed for service; Affidavit of non-service
5. In the event of (3) above, the Plaintiff shall apply for an Order of substituted service of the Summons on the Defendant by filling and filing Form SCA 7;
6. Upon receipt of a duly completed Form SCA 7 the Magistrate shall make an order for substituted service of the summons; Substituted service
7. Substituted service may be effected by electronic email. If substituted service is to be effected at the electronic mail address of a party, the following provisions shall be applicable:-
 - i. The application in terms of Article 6 (5) above must be accompanied by an affidavit confirming the identity of the respondent, postal/physical address and the electronic mail address at which the defendant will receive service of the summons; Electronic service
 - ii. A copy of any electronic mail correspondence including attachments between the parties may be attached as proof of the validity of the electronic mail address;
 - iii. The Sheriff/Bailiff of the Small Claims Court shall serve the summons, annexures and pleadings by way of electronic mail on the address as is ordered by the Court, indicating what processes have been served by way of electronic mail and the number of pages that were mailed.

ARTICLE 7: FILING OF DEFENCE/ADMISSION/COUNTER-CLAIM

Filing of Defence /Admission

1. Upon service of the Summons, the Defendant shall file his Defence/Admission Counter-claim within Seven (7) days by completing Form SCA 5 as appropriate; Defence/ Admission
2. The provision of Article 6 on service of Summons shall apply to service of a counter-claim;
3. Where a Defendant fails to file an Answer to the Claim, such Defendant may be held to have admitted the Claim.

ARTICLE 8: COUNTER-CLAIM

Counter-Claim.

1. If at the time the action is commenced the Defendant intends to claim against the Plaintiff a liquidated money demand not exceeding N7, 000,000.00 (Seven Million Naira) (excluding interest and costs) and which claim arises out of the Counter-claim

- same transaction or series of transactions, the Defendant shall complete and file a counter-claim form as in Form SCA 5 in answer to the Claim;
2. If at the time the action is commenced, the Defendant intends to claim against the Plaintiff a liquidated money demand exceeding N7, 000,000.00 (Seven Million Naira) but not more than N10,000,000.00 (Ten Million Naira) (excluding interest and costs), (which is the limit of the general jurisdiction of the Magistrate Court), the Defendant may file a counter-claim in the pending Small Claims action by filling Form SCA 5;
 3. If at the time the action is commenced, the Defendant has a counter-claim that exceeds the general jurisdiction of the Magistrate Court, the Defendant may file the counter-claim, by completing Form SCA 5, PROVIDED that any Judgment in the Defendant's favour shall be limited to the general jurisdiction of the Magistrates' Courts;
 4. In the event of (3) above, the Defendant/Counter-Claimant shall be deemed to have abandoned the excess of the counter-claim; Abandonment of excess
 5. The Defendant(s) counter-claim shall be limited to the Plaintiff(s) on record;
 6. The Plaintiff may file a reply to the Defendant(s) Defence and Counter-claim within five (5) days of service of the Defendant(s) Defence and Counter-claim; No pleadings after reply
 7. No pleadings after reply are allowed.

ARTICLE 9: NON-APPEARANCE

Non-Appearance.

1. When the claim is called for hearing on the date fixed and neither party appears, the Magistrate shall unless he sees good reason to the contrary, strike out the claim;
2. Where the claim is called for hearing and the plaintiff appears but the Defendant does not appear, provided there is proof of service, the Magistrate shall proceed with the hearing of the claim and enter judgment as far as plaintiff can prove his claim; Non-appearance of parties
3. When the claim is called for hearing, and the Defendant appears but the plaintiff does not appear, the Defendant if he has no counter-claim, shall be entitled to an order striking out the claim, but if he has a counter-claim, the Magistrate shall proceed to hear the counter-claim and enter judgment accordingly, as far as the Defendant can prove his counter-claim.

ARTICLE 10: PROCEEDING AT THE HEARING

Proceeding at the Hearing.

1. At the first appearance of the parties before the court, the Magistrate shall promote, encourage and facilitate amicable settlement of the dispute among the parties by mediating and providing settlement options to the parties as he deems fit. The process of mediating and facilitating amicable settlement of the dispute among the parties shall not exceed seven (7) days; Magistrate to encourage settlement
2. Notwithstanding 10(1), the parties are also encouraged to contact one another with a view to settling the matter amicably or to narrow the issues. However, the court must be informed on the hearing date if the case is settled by agreement before that date and a consent judgment may be entered by the Court accordingly;
3. In the event that parties are unable to settle the dispute amicably, the Magistrate shall hold a Pre-trial hearing for the purpose of giving directions for hearing of the claim or counter-claim (as the case may be) including a hearing time table, length of trial or hearing, exchange of witness(es) list, formulation and settlement of issues, as appears to the Magistrate to secure the just, expeditious and speedy disposal of the claim or counter-claim; Pre-trial hearing
4. Hearing shall be conducted by the court from day to day as far as is practicable and may only be adjourned as a last resort and for the shortest possible time; Day-to-day hearing
5. Adjournment can only be granted during proceedings in unforeseen and exceptional circumstances and a party may not be granted more than one adjournment during the entire proceedings;
6. The entire hearing period shall not be more than thirty (30) days from the first date of hearing, inclusive of the seven (7) days for amicable settlement; Adjournment
7. During the hearing, the Magistrate may ask any question from the witness or order the witness to produce any document in the witness possession in order to clear up any ambiguity which may have been left obscured in evidence given by such a witness. Hearing period
8. Notwithstanding the foregoing provisions, parties can make recourse to the Multi-Door Courthouse. Alternative dispute resolution

ARTICLE 11: REPRESENTATION

Representation.

1. Parties in the Small Claims court may: Representation
 - (a) represent themselves or;
 - (b) be represented by a legal practitioner or an attorney;

- Partnerships, Registered Companies, and Incorporated Trustees can be represented by either a Partner, Company Secretary, or any other Principal Officer as the case may be.

ARTICLE 12: EVIDENCE

Evidence.

- Parties may testify on their own behalf and tender all necessary documents and they may call other witnesses to give evidence at the hearing;
- In the interest of justice, the Court may depart from the strict application of the provisions of the Evidence Act.

Court may depart from strict application of Evidence Act

ARTICLE 13: JUDGMENT

Judgment.

- The Magistrate shall deliver judgment within fourteen (14) days of the completion of hearing. The judgment shall include the Court's determination of issues raised in any interlocutory application(s) filed by any of the parties;
- The entire period of proceedings from filing till judgment shall not exceed sixty (60) days;
- The judgment of the Court shall not be invalidated by reason of the entire proceedings of the court having exceeded sixty (60) days;
- The Magistrate shall issue authenticated copies of the judgment immediately after its delivery but in any event not exceeding seven (7) days from the date of the delivery of the judgment.

Delivery of judgement

Length of proceedings

ARTICLE 14: ENFORCEMENT OF JUDGMENT

Enforcement of Judgment.

- The Defendant or Defendants to counter-claim (as the case may be) shall comply with the Judgment and pay the Judgment sum within fourteen (14) days of delivery of judgment.
- Upon default of the Defendant or Defendants to counter-claim to pay the judgment sum within the time specified, the judgment shall be enforced in like manner as any order of the Magistrate's court for the payment of money.

Enforcement of judgment

ARTICLE 15: APPEALS

Appeals.

- Where either party is aggrieved with the judgment, such party shall complete the appeal Form, as in form SCA 8 within fourteen (14) days of the delivery of the judgment stating the reason for the Appeal.
- The Registrar of the Small Claim Registry shall compile the records of appeal within fourteen (14) days of the submission of Form SCA 8;

Appeals to be filed within 14 days

3. The Records of Appeal shall thereafter be forwarded to the Fast Track Registry of the High Court, where it is then assigned to a Judge of the Fast Track Court designated to hear appeals from the Small Claims Court;
4. The Judge, so designated shall cause Hearing Notices to the parties and the appeal shall be heard at the earliest convenience of the court but not later than 14 days from the date of assignment;
5. The Appeal shall be by written Briefs and on the record of Appeal:
 - (a) The Appellant's Brief shall be filed within 7 (Seven) days of receipt of the Record of Appeal;
 - (b) The Respondent's Brief shall be filed within 7 (Seven) days of receipt of the Appellant's Brief;
 - (c) The Appellant's Reply shall be filed within 3 (Three) days of receipt of the Respondent's Brief;
6. The whole Appellate Process from the assignment of the Appeal to judgment shall not exceed thirty (30) days;
7.
 - (i) Where the Appellant fails to comply with the provisions relating to time, the appeal may be struck out.
 - (ii) the High Court may ameliorate the effect of the above rule by awarding costs as may be just and appropriate.

ARTICLE 16: GENERAL PROVISIONS

General Provisions.

1. Every Magistrate presiding in a Small Claims Court must take judicial control and management of all cases assigned to him/her by the Administrative Magistrate;
2. The Magistrate must note in the Small Claims record book, the duration of each sitting. The record book shall provide details information on the progress of each case from filing to delivery of judgment;
3. The Magistrate must note on the record of the proceedings in respect of each case:
 - i) the time of the day when the proceeding actually commenced and actually ended; and
 - ii) the time of the day of the commencement and conclusion of each adjournment on that day.
4. In line with Article 13 (2) above, all Magistrates shall strive to conclude cases within 60 days of filing by the plaintiff;
 - i) Magistrates must report monthly to the Chief Judge through Chief Registrar on all part-heard cases that had not been concluded within Sixty (60) days from the date of filing
 - ii) Magistrates who has more than five (5) part heard cases must submit

Case management

Magistrates to conclude cases within 60 days

along with their monthly reports and action plan on how they propose to reduce their part-heard cases and provide monthly report on progress.

5. Upon the direction of the Chief Registrar, an Administrative Magistrate must submit any information and any assessment material including statistics, records showing compliance with time frames for court events, and any other reports required by the Chief Registrar to assess the functioning and efficiency of the Small Claims Courts;
6. The Chief Registrar shall be responsible for providing court performance related data to the Kogi State Judicial Service Commission on a monthly basis. The Secretary to the Kogi State Judicial Service Commission shall ensure that court performance reports are generated and published on a quarterly basis which must show;
 - (i) the time it takes each Small Claims Court within a particular zone to dispose of matters (i.e from filing to judgment); and
 - (ii) the duration of matters pending before a Small Claims Court within a particular zone.

Court
performance
related data

ISSUED THIS^{31st}..... DAY OF ~~SEPTEMBER~~^{SEPTEMBER}....., 2024

UNDER THE HAND AND SEAL OF


HON. JUSTICE JOSIAH JOE MAJEBI
CHIEF JUDGE OF KOGI STATE

FORM SCA 1

**SMALL CLAIMS COURT
LETTER OF DEMAND**

FROM

- 1.
- 2.

WORK ADDRESS

RESIDENTIAL ADDRESS

TELEPHONE NO(S) AND E-MAIL

TO

- 1.
- 2.

WORK ADDRESS

RESIDENTIAL ADDRESS

TELEPHONE NO(S) AND E-MAIL

SIR/MADAM

DEMAND:

I hereby claim from you

(PLEASE STATE PARTICULARS)

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Unless you comply with this demand within 14 (fourteen) days after receipt of this letter, Summons will be issued against you in the Small Claims Court

.....
PLAINTIFF'S SIGNATURE



FORM SCA 2

**IN THE MAGISTRATES' COURT OF KOGI STATE (SMALL CLAIMS)
COMPLAINT FORM (TO ACCOMPANY FORM SCA 3)**

- NB:
1. Please fill out the form legibly
 2. Attach copies of the documents (contracts, receipts, expert's report if applicable etc.
 3. Submit this form to the Registry of the Small Claims.

A. PARTICULARS OF PLAINTIFF(S)

FULL NAME

WORK ADDRESS

RESIDENTIAL ADDRESS

TELEPHONE NO.(S) & E-MAIL ADDRESS

Attach a list of other Plaintiff(s) (if more than one) with the required particulars.

B. PARTICULARS OF DEFENDANT(S)

FULL NAME

WORK ADDRESS

RESIDENTIAL ADDRESS

TELEPHONE NO.(S) & E-MAIL ADDRESS

C. PARTICULARS OF CLAIMS

TOTAL SUM CLAIMED:

INTEREST:

COSTS:

OTHERS:

Attach a list of other Defendant(s) (if more than one) with the required particulars.

SUMMARISE YOUR COMPLAINT AND STATE THE STEPS YOU HAVE TAKEN TO RECOVER

THE CLAIM:

.....
.....

ORM SCA 3

**THE MAGISTRATES' COURT OF KOGI STATE (SMALL CLAIMS)
SUMMONS
(TO BE SERVED WITHIN 7 (SEVEN) DAYS OF FILING)**

CLAIM NO.....

BETWEEN:

..... PLAINTIFF(S)

AND

..... DEFENDANT(S)

The PLAINTIFF Claims:

Debt (attach particulars)

Court Fees.....

Costs.....

Total: ₦ _____

To

1. You are hereby summoned to appear personally or by your representative before this court on the day of 20 at to admit or deny your liability for the above mentioned claim.
2. If you deny liability or have a counterclaim you are advised to complete and return Form SCA 5 to the registry of the Small Claims Court within Seven (7) days after the service of this summons inclusive of the day of service. If you require a longer time for payment, complete the form of ADMISSION as in FORM SCA 5.
3. (a) Take notice that if you fail to appear in Court on the hearing date after a summons has been served on you, judgment may be obtained against you by the Plaintiff.
(b) Money payable in terms of a judgment or Order of Court may be paid directly to the Judgment Creditor.
(c) The Judgment Debtor must notify the Judgment Creditor fully and correctly; within 7 days after he has changed his place of business, work, employment or residence, of his new place of business, work, employment or residence.

Dated at this day of 20....

REGISTRAR



FORM SCA 4

**IN THE MAGISTRATES' COURT OF KOGI STATE (SMALL CLAIMS)
AFFIDAVIT OF NON-SERVICE**

CLAIM NO.....

BETWEEN:

..... PLAINTIFF(S)

AND

..... DEFENDANT(S)

I,

Make an Oath and say, that on theDay of
.....20.....at.....O'clock, I attempted to serve upon

.....
Summons for Small Claims, true copy whereof is annexed issued out of this court at
.....

I have been unable to serve the Summons because
.....

.....
Bailiff

**SWORN TO AT THE MAGISTRATES' COURT OF KOGI STATE, (SMALL CLAIMS)
REGISTRY.**

THISDAY OF20.....

BEFORE ME

COMMISSIONER FOR OATHS

FORM SCA 5

**IN THE MAGISTRATES' COURT OF KOGI STATE (SMALL CLAIMS)
FORM OF ADMISSION, DEFENCE AND COUNTERCLAIM
(TO BE SERVED ON THE PLAINTIFF WITHIN 7 (SEVEN) DAYS OF SERVICE OF FORM SCA 3)**

CLAIM NO.....

BETWEEN:

..... PLAINTIFF(S)

AND

..... DEFENDANT(S)

ADMISSION

I admit the Plaintiff's claim (or) part of the Plaintiff's claim and I ask for permission to pay the sum with costs on that amount on theday of20.... or by installments of N per because:

1.
2.
3.

(State why you cannot pay at once)

DEFENCE

I have a Defence

.....
.....
.....
.....

or I dispute part of the Plaintiff's Claim

because

.....
.....
.....

(State briefly the facts you wish to put before the Court)

COUNTER-CLAIM OR SET-OFF

I have a Counterclaim or Set-off against the Claim for ₦

FORM SCA 6

**IN THE MAGISTRATES' COURT OF KOGI STATE (SMALL CLAIMS)
AFFIDAVIT OF SERVICE
(PROOF OF SERVICE TO BE FILED WITHIN 24 [TWENTY-FOUR] HOURS OF SERVICE)**

CLAIM NO.....

BETWEEN:

..... PLAINTIFF(S)

AND

..... DEFENDANT(S)

I,.....

Make an Oath and say, that on the.....day of20..... atO'clock, I served upon
Summons for Small Claims, true copy whereof is annexed issued out of this court at..... upon the complaint of the Plaintiff by delivering the same personally to.....
Before the day I served the Summons I did not know
personally, but after he was pointed out to me by I asked him if he was and he said, he was.

.....

Bailiff

SWORN TO AT THE MAGISTRATES' COURT OF KOGI STATE (SMALL CLAIMS) REGISTRY

THIS DAY OF 20

BEFORE ME

COMMISSIONER FOR OATHS

FORM SCA 6A

**IN THE MAGISTRATES' COURT OF KOGI STATE (SMALL CLAIMS)
IN THE MAGISTERIAL DISTRICT
HOLDEN AT**

CLAIM NO.....

BETWEEN:

..... PLAINTIFF(S)
AND

..... DEFENDANT(S)

**DEFENDANT'S COUNTER-AFFIDAVIT
TO APPLICATION FOR SUMMARY JUDGMENT
(TO BE SERVED ON THE PLAINTIFF WITHIN 7 (SEVEN) DAYS OF SERVICE OF FORM SCA 5)**

I, of

.....

Kogi State hereby make oath and state as follows:

[State the Defendant's name and address of the Defendant]

1. I am the [.....] Defendant in this case.
[if there are multiple defendants state the position of the defendant]
2. I have a good defence against the Plaintiff's claim. I have expressed my defence in Form SCA 5
[State if there is a Counterclaim]
3. The Plaintiff is not entitled to Summary Judgment against me [.....].
[State name of the Defendant].
4. I dispute the allegations in paragraphs [.....] of the
Plaintiff's affidavit because: [the Defendant SHALL state paragraphs in the affidavit that he is opposing]

.....
[Explain in detail why summary judgment should not be entered against Defendant. Attach all necessary documents. Use extra sheets if necessary].

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.....

- 5. I know that Defendant is not indebted to the Plaintiff in the sum of N
or any sum whatsoever. [State the amount being claimed]
- 6. I depose to this Affidavit conscientiously, believing all the depositions contained here to be
true and correct and in accordance with the Oaths Law of Kogi State.

.....
DEPONENT

SWORN TO AT THE MAGISTRATES' COURT OF KOGI STATE, (SMALL CLAIMS) REGISTRY.

THISDAY OF20.....

BEFORE ME

COMMISSIONER FOR OATHS

FORM OF JURAT (if applicable)

I have first truly distinctly and audibly read over the contents of this document to the defendant who is blind or illiterate and explained the nature and contents of the document therein referred to in the Language. He/she appeared perfectly to understand the same and made his/her mark/signature thereto in my presence.

Commissioner for Oaths

FORM SCA 7

IN THE MAGISTRATES' COURT OF KOGI STATE (SMALL CLAIMS)

IN THEMAGISTERIAL DISTRICT

HOLDEN AT

CLAIM NO.....

BETWEEN:

..... PLAINTIFF(S)/APPLICANTS(S)

AND

..... DEFENDANT(S)/RESPONDENT(S)

MOTION EX-PARTE

**BROUGHT PURSUANT TO ARTICLE 6(5) OF THE SMALL CLAIMS COURT PRACTICE
DIRECTIONS 2024 AND UNDER THE INHERENT JURISDICTION OF THE COURT**

TAKE NOTICE that the Honourable Court will be moved on the of 20 at 9
O'Clock in the forenoon or soon thereafter as the Plaintiff/Applicant may be heard praying the court
for the following:

AN ORDER of the Court granting leave to the Plaintiff/Applicant to serve the Summons and other
processes on the Defendant by substituted means, to wit: posting same at

.....
.....
Being the last known address of the Defendant or by any other means of service, as is hereby stated
.....

AND FOR SUCH ORDER OR ORDERS as this Honourable Court may deem fit to make in the
circumstances.

Dated this day of20.....

.....
PLAINTIFF'S SIGNATURE

FORM SCA 8

**IN THE HIGH COURT OF KOGI STATE
SMALL CLAIMS COURT APPEAL
HOLDEN AT.....**

APPEAL NO SCCA/.....

BETWEEN:

..... APPELLANT(S)

AND

..... RESPONDENT(S)

NOTICE OF APPEAL

TO BE FILED WITHIN 14 (FOURTEEN) DAYS OF DELIVERY OF THE JUDGMENT

TAKE NOTICE that the/Appellant being dissatisfied with the decision of the Magistrate's Court (Small Claims Court) Magisterial District as contained in the Judgment delivered on theday of20..... by do hereby appeal to the High Court of Kogi State, upon the grounds set out in paragraph 2 and will at the hearing of the Appeal seek the reliefs set out in paragraph 3.

AND the Appellant further states that the names and addresses of the persons who would be directly affected by the appeal are those set out in paragraph 4 of this Notice.

1. PART OF THE DECISION OF THE LOWER COURT COMPLAINED OF:-

.....
.....

2. GROUNDS OF APPEAL

(1) The learned Magistrate erred in law when His Worship held that

.....
.....

PARTICULARS OF ERROR

(a)

.....
.....

(b)

[Additional grounds of Appeal shall be contained in a separate paper]

3. RELIEFS SOUGHT FROM THE HIGH COURT OF KOGI STATE

(a) An Order of the Honourable Court

(b) An Order of the Honourable Court

[Additional Reliefs shall be contained in a separate paper]

4. PERSON DIRECTLY AFFECTED BY THE APPEAL

NAMES:

ADDRESS:

TELEPHONE NO: **E-MAIL:**

NAMES:

ADDRESS:

TELEPHONE NO: **E-MAIL:**

Dated thisday of20.....

.....
APPELLANT'S SIGNATURE

ADDRESS FOR SERVICE

NAME:

ADDRESS:

TELEPHONE:

E-MAIL:



SCHEDULE OF FILING FEES - As provided under the extant Magistrates' Court Rules
2021.