

**FORM SCA 5A**

IN THE MAGISTRATES' COURT OF LAGOS STATE (SMALL CLAIMS)  
IN THE ..... MAGISTERIAL DISTRICT  
HOLDEN AT .....

CLAIM NO. \_\_\_\_\_

**BETWEEN:**

**CLAIMANT**

AND

DEFENDANT

## DEFENDANT'S COUNTER-AFFIDAVIT

**TO APPLICATION FOR SUMMARY JUDGMENT**

**(TO BE SERVED ON THE CLAIMANT WITHIN 7 DAYS OF SERVICE OF FORM SCA 3 (A) & (B))**

I, [ ] of [ ] Lagos State,  
hereby make oath and state as follows.  
[State the Defendant's name and address]

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 Claimant's claim. I have expressed my defence in Form SCA5  
*[State if there is a Counterclaim]*
3. The Claimant is not entitled to Summary Judgment against me  
[ ]  
*[State name of the Defendant].*
4. I dispute the allegations in paragraphs [ ] of the Claimant'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].*



5. I know that Defendant is not indebted to the Claimant 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 by the Oaths Law of Lagos State.

**DEPONENT**

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

**THIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_**

**BEFORE ME**

**COMMISSIONER FOR OATHS**

**FORM OF JURAT (If applicable)**

*Where the Commissioner has read the Affidavit to the Deponent.*

**SWORN** at \_\_\_\_\_ in \_\_\_\_\_ this \_\_\_\_\_ day  
of \_\_\_\_\_ before me,

*I have first truly distinctly and audibly read over the contents of this affidavit to the deponent who is \*blind (or illiterate) and explained the nature and contents of the exhibits therein referred to in the \_\_\_\_\_ language when he appeared perfectly to understand the same and made his mark (or signature) thereto in my presence.*

**Commissioner for Oaths**