



**FORM SCC 5A**

**IN THE MAGISTRATES' COURT OF ANAMBRA 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 SCC 4 & SCC 9)***

I, ..... of

.....

Anambra 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 SCC 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 ₦ .....  
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 Anambra State.

.....  
**D E P O N E N T**

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

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 to at the Small Claims Court Registry this ..... day of ..... 20 .....**

*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/she appeared perfectly to understand  
the same and made his/her mark (for signature) thereto in my presence.*

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Commissioner for Oaths