**WHETHER THE TRIAL COURT ERRED IN JUDGERMENT BY RULING THAT FANBLOCK HAD NOT FURNISHED CONSIDERATION FOR 300,000 NAIRA AND THE ACTIONS OF THE REPRESENTATIVES AMOUNTED TO BATTERY AND ASSAULT.**

To this the appellant contends that the trial Court erred and consideration need not be furnished for the 300,000 Naira debt as the respondent Miss Pepere is estopped from retrieving the said amount lent to Fanblock when she expressly told Fanblock “not to worry about the 300,000Naira” as he had saved her Career.

This statement would therefore amount to a promissory estoppel. A promissory estoppel according to The Black’s Law Dictionary is *a legal principle that a promise is enforceable by Law even if made without formal consideration*.this principle was first affirmed in the famous Central London Property Trust Ltd v. High Trees when Lord Denning brought immense significance to the doctrine.

Furthermore in Prospect Textile Mills v. J.C.J Plc England the Court of Appeal Per Mohammed J.C.A gave judgement affirming this principle in Nigerian Legal System.

Furthermore, the Appellant contends that the actions of Miss Pepere’s agents amounted to a textbook case of Assault and Battery. It is crystal clear from the facts of this case that the representatives of the respondents made threats of violence to the appellant by dragging and him out of his car and scratching him with a knife, such action getting even the onlookers scared.

An assault as defined by the Blacks Law Dictionary is a threat or physical act that creates a apprehension of imminent harmful or offensive act. In this instant case, not only was a threat made, a harmful physical act was made too; scratching of Fanblock’s hand with a knife.

This acts have been well defined in Nigerian Courts as amounting to assault and battery and as such damages should apply against the respondent. This position was supported by the Supreme Court in Alhaji Ibrahim Abdulhamid v. Tabal Akar & anor.

We therefore submit respectfully that the trial court has erred and it is our prayer that the judgement be set aside