

GOVERNMENT OF ORISSA

LAW DEPARTMENT

Orissa Act 13 of 1957

THE COURT FEES (ORISSA AMENDMENT) ACT, 1957

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ORISSA ACT 13 OF 1957
THE COURT FEES (ORISSA AMENDMENT) ACT, 1957

[Received the assent of the Governor on the 18th July 1957,
 first published in an extraordinary issue of the Orissa Gazette,
 dated the 24th July 1957.]

AN ACT FURTHER TO AMEND THE COURT FEES ACT, 1870
 IN ITS APPLICATION TO THE STATE OF ORISSA

WHEREAS it is expedient further to amend the Fees Act, 1870 in its application to the State of ^{Act 7 of 1870.} Court Orissa in the manner hereinafter appearing ;

It is hereby enacted by the Legislature of the State of Orissa in the Eighth Year of the Republic of India as follows :—

Short title

* 1. This Act may be called the Court Fees (Orissa Amendment) Act, 1957.

Insertion of a new section 28-A, Act 7 of 1870.

2. After section 28 of the Court Fees Act, 1870 ^{Act 7 of 1870.} the following new section shall be inserted, namely :—

Recovery of deficient or unpaid court fees.

“ 28-A. (1) If, on examination of the records of a Civil, Criminal or Revenue case which has been disposed of, a public officer finds that the fee payable under the Act or the rules made thereunder on any document filed, exhibited or recorded therein has not been paid or has been insufficiently paid, he shall report the fact to the presiding officer of the Court or to the revenue officer concerned.

(2) Such presiding officer or revenue officer, after satisfying himself of the correctness of such report, shall record a provisional finding that the proper fee has not been paid and determine the amount of fee payable and the person from whom the fee or the difference thereof, if any, shall be recoverable.

(3) After recording a finding under sub-section(2), the presiding officer or revenue officer shall issue a notice to the person referred to in that sub-section to show cause why he should not be ordered to pay the fee determined thereunder, and, if sufficient cause is not shown, the presiding officer or revenue officer shall confirm the finding and make an order requiring such person to pay the proper fee before a date to be specified in that notice.

(4) If such person fails to pay the fee in accordance with the notice issued under sub-section (3), it shall on the certificate of such presiding officer or revenue officer, be recoverable as an arrear of land revenue.”

* For the Bill see *Orissa Gazette* extraordinary dated the ^{7th} ~~7th~~ June 1957