

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

NOTIFICATION No. 27
Dated Guwahati, the 5th April, 2021

In exercise of the powers conferred by Article 229 of the Constitution of India, Hon'ble the Chief Justice has been pleased to frame the following rules for refund of Court fees:

1. Short title and commencement:

- i. These rules may be called- '**The Gauhati High Court Refund of Court Fee Rules, 2021**'.
- ii. They shall come into force on the date of notification of these rules.

2. Applicability:

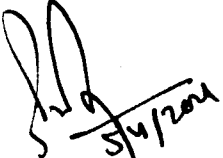
- i. These rules shall be applicable in all cases filed before the High Court, Civil Courts and Tribunals.

3. Definitions:

- i. In these rules, unless the context otherwise requires, -
 - (a) "High Court" means Gauhati High Court;
 - (b) "Chief Justice" means the Chief Justice of the Gauhati High Court;
 - (c) "Act" means the Court Fees Act, 1870;
 - (d) "Registrar General" means the Registrar General of the Gauhati High Court;
 - (e) "Registrar" means the Registrars of the outlying Benches;
 - (f) "Civil Court" means and includes court of District Judge, Additional District Judge, Civil Judge, Munsif, Family Court, Tribunals functioning under the administrative control of the High Court;
 - (g) "Presiding Officer" means the Presiding Officer of the Civil Court;

4. Refund of Court Fee:

- i. The Registrar General, Registrar, Presiding Officer as the case may be shall refund the court fee in terms of Sections 13, 14, 15 and 16 of the Act.
- ii. Any excess court fee paid by any party shall be refunded as per Rule-5.


5/4/2021

5. Procedure for Refund:

- i. The applicant shall file an application before the Registrar General or the Registrar or the Chief Administrative Officer or Sheristader as the case may be for refund of court fee.
- ii. On receipt of such application, the Registrar General or Registrar or Presiding officer, as the case may be, shall certify the amount of court fee remitted in the case and the amount to be refunded and place the application before the Bench, the Presiding Officer, as the case may be, for refund of the Court fee.
- iii. The concerned Bench or the Presiding Officer as the case may be, shall pass necessary order for refund of the court fee by indicating the amount to be refunded in the case.
- iv. The Registrar General or Registrar or the Chief Administrative Officer or Sheristader as the case may be, shall accordingly take further action for issue of financial sanction and presentation of bill in the Treasury Office and refund of the due amount to the applicant.
- v. The office of the treasury shall intimate the Cyber treasury about the refund of the Court Fee in the account of the applicant.

6. Power to Relax, etc:

- i. The Chief Justice shall have the power to relax, modify any rule if it causes hardship.

By Order

Sd/ Raktim Duarah

REGISTRAR GENERAL

Memo No.HC.III-07/2015/1366-1398/G,

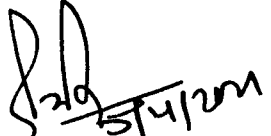
dated 5th April, 2021.

Copy to:

1. The L.R.-cum-Commissioner & Secretary to the Govt. of Assam, Judicial Department, Dispur, Guwahati, Assam.
2. The Registrar (Vigilance/Judicial/Administration/Establishment), Gauhati High Court, Guwahati.
3. The Registrar, Gauhati High Court, Kohima Bench, Kohima / Aizawl Bench, Aizawl/ Itanagar Permanent Bench, Naharlagun.
4. The Registrar-cum-Principal Secretary to Hon'ble the Chief Justice, Gauhati High Court, Guwahati.
5. The District & Sessions Judge, Baksa / Barpeta / Bongaigaon / Cachar / Chirang / Darrang / Dhemaji / Dhubri / Dibrugarh / Dima Hasao / Goalpara / Golaghat / Hailakandi/ Jorhat / Kamrup (M) / Kamrup / Karbi Anglong / Karimganj / Kokrajhar / Lakhimpur / Morigaon / Nagaon / Nalbari / Sivasagar / Sonitpur / Tinsukia / Udalguri, Assam.
6. The Principal Judge, Family Court, Barpeta / Cachar / Dhubri / Kamrup (M) – I, II & III / Nalbari, Assam.



7. The Member, MACT, Barpeta / Cachar / Dhubri / Goalpara / Kamrup (M) – I, II & III / Nagaon / Nalbari / Sonitpur / Kamrup (Amingaon), Assam.
8. The Special Judge, Designated Court, Assam.
9. The Special Judge, Assam.
10. The Special Judge, CBI, Assam.
11. The Special Judge, CBI, Assam, Addl. CBI Court No. 1, 2 & 3, Guwahati.
12. The Presiding Officer, Labour Court / Industrial Tribunal, Kamrup (M), Guwahati / Dibrugarh, Assam.
13. The Presiding Officer, Industrial Tribunal, Cachar, Assam.
14. The Chairman, Bar Council of Assam, Nagaland, Mizoram, Arunachal Pradesh and Sikkim.
15. The President/Secretary General, Gauhati High Court Bar Association, Guwahati.
16. The President/General Secretary, Gauhati High Court Advocates' Association, Guwahati.
17. The President/Secretary, All Assam Lawyers' Association, Guwahati.
18. The President/Secretary, Lawyers' Association, Guwahati.
19. The Joint Registrar (_____), Gauhati High Court, Guwahati.
20. The Director, Law Research Institute, Gauhati High Court, Guwahati.
21. The Deputy Registrar (_____), Gauhati High Court, Guwahati.
22. The Librarian-cum-Research Officer, Gauhati High Court, Guwahati.
23. The Asstt. Registrar (_____), Gauhati High Court, Guwahati.
24. The Court Manager, Gauhati High Court, Guwahati.
25. The Special Officer, Translation Wing, Gauhati High Court, Guwahati.
26. The Project Manager, Gauhati High Court, Guwahati. He is requested to upload this Notification in the website of the Gauhati High Court.
27. The P.S. to Hon'ble Mr. /Mrs. Justice _____, Gauhati High Court, Guwahati.
28. The A.O. (Judicial), _____ Section, Gauhati High Court, Guwahati.
29. The Court Masters, Court No. _____, Gauhati High Court, Guwahati.
30. The Court Officer Nos. 1 & 2, Gauhati High Court, Guwahati.
31. The Chief Security Officer, Gauhati High Court, Guwahati.
32. The C.A. to the Registrar General, Gauhati High Court, Guwahati.
33. The Gauhati High Court Notice Board, (Old Block & New Block).


REGISTRAR GENERAL
5/4/2021