

The Court-fees (Orissa Amendment) Act, 1957

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Rule THE-COURT-FEES-ORISSA-AMENDMENT-ACT-1957 of 1957

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The Court-fees (Orissa Amendment) Act, 1957Published vide Orissa Gazette Extraordinary/24.7.1957.An Act to amend the Court-fees Act, 1870 in its application to the State of OrissaWhereas it is expedient further to amend the Court-fees Act, 1870, in its application to the State of 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 :

1. Short title.

- This Act may be called the Court-fees (Orissa Amendment) Act, 1975.

2. Insertion of new Section 28-A, Act 7 of 1870.

- After Section 28 of the Court-fees Act, 1870 the following new section shall be inserted, namely:"28-A. Recovery of deficient or unpaid Court-fees. - (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 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 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. Note. - This section provides for the recovery of deficient or unpaid Court-fees, even after disposal of the suit.