

40. Disallowance of costs of unnecessary petition

In any case in which, after a bankruptcy petition has been presented by a creditor against a debtor and before the hearing of such petition, the debtor files a petition and a bankruptcy order is made on the petition of the debtor, unless in the opinion of the court the estate has benefited thereby or there are special circumstances which make it just that such costs should be allowed, no costs shall be allowed to the debtor or his solicitor out of the estate.

(L.N. 77 of 1998)