

# Court Fee Act

# Introduction

- **Scope and object of Act** - Object of Court Fees Act, 1870, is to secure revenue for the benefit of the State and provisions thereof, are not to be used for non Suiting a party on account of some technical/procedural defect/omission.
- **P L D 1993 Lah.90 + P L D 1975 Kar. 59, PLD 1985 Lah.448**
- Court Fees Act as its very title suggests was passed to secure revenues for the State and it was never its purpose to arm a litigant with a weapon of technicality against his opponent--Parties must win or lose their cases on substantial grounds and not 'technical tortures' and the Courts cannot be abettors- -Remand of case for hearing de novo and decision afresh would involve the parties into purposeless and wasteful vortex litigation. **1987 C L C 2428 + 1984 C L C 3428**

# General Rules

- Court fees to be collected by stamps .
- Stamps should be impressed or adhesive or partly impressed and partly adhesive.
- **Grant of time to make up deficiency of Court Fee.** Combined effect of O. VII, r. 11 and S. 149, C. P. C.-Court must first grant time to make up deficiency -Party failing to comply-Court can reject plaint at any stage of suit or receive fee afterwards.