



**KARNATAKA LEGISLATIVE ASSEMBLY
FOURTEENTH LEGISLATIVE ASSEMBLY
FIFTH SESSION**

**THE KARNATAKA COURT FEES AND SUITS VALUATION
(AMENDMENT) BILL, 2014
(L.A. Bill No. 62 of 2014)**

A Bill further to amend the Karnataka Court Fees and Suits Valuation Act, 1958.

Whereas it is expedient further to amend the Karnataka Court Fees and Suits Valuation Act, 1958. (Karnataka Act 16 of 1958) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Sixty fifth year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Court Fees and Suits Valuation (Amendment) Act, 2014.

(2) It shall come into force at once.

2. Amendment of section 66.- In the Karnataka Court Fees and Suits Valuation Act, 1958 (Karnataka Act 16 of 1958), for section 66, the following shall be substituted namely,-

“ 66. Refund on settlement before hearing.- (1) Where the Court refers the parties to the suit to any one of the modes of settlement of dispute referred to in section 89 of the Code of Civil Procedure, 1908 and the dispute is settled, seventy five percent of the amount of Court fee paid in respect of the claim or claims in the suits shall be ordered by the Court to be refunded to the parties by whom the same have been respectively paid.

(2) In cases not covered by sub-section (1); Whenever by agreement of parties,-

- (a) any suit is dismissed as settled out of Court before any evidence has been recorded on the merits of the claim; or
- (b) any suit is compromised ending in a compromise decree before any evidence has been recorded on the merits of the claim; or
- (c) any appeal is disposed of before the commencement of hearing of such appeal;

Seventy five percent of the amount of court fee paid in respect of the claim or claims in the suit or appeal shall be ordered by the court to be refunded to the parties who have paid such fee. ”

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Court Fees and Suits Valuation Act, 1958 (Karnataka Act 16 of 1958) to provide for the refund of seventy five percent of court fee to the parties, if the suit is settled under Section 89 of the code of Civil Procedure, 1908 and by agreement of parties, any suit is dismissed, compromised or appeal is disposed of before the commencement of hearing of such appeal and avoid the ambiguity flowing from use of the words "all fees".

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

T.B.JAYACHANDRA
Minister for Law, Parliamentary Affairs,
Animal Husbandry and Muzarai

P. OMPRAKASHA
Secretary
Karnataka Legislative Assembly

ANNEXURE

**EXTRACT FROM THE KARNATAKA COURT FEES AND SUITS
VALUATION ACT, 1958 (KARNATAKA ACT 16 OF 1958)**

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66. Refund on settlement before hearing.- Whenever by agreement of parties,-

(a) any suit is dismissed as settled out of Court before any evidence has been recorded on the merits of the claim; or

(b) any suit is compromised ending in a compromise decree before any evidence has been recorded on the merits of the claim; or

(c) any appeal is disposed of before the commencement of hearing of such appeal;

half the amount of all fees paid in respect of the claim or claims in the suit or appeal shall be ordered by the court to be refunded to the parties by whom the same have been respectively paid.

Explanation.- The expression "merits of the claim" shall have the meaning assigned to it in section 11.

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