

PART F.—PROCESSES ISSUED BY THE HIGH COURT IN THE
EXERCISE OF ITS JURISDICTION.

The following rules have been made by the High Court under clause 27 of the Letters Patent constituting, the High Court, for regulating the payment of process fee for processes issued by the Court in exercise of its jurisdiction:—

1. ^[1]**[Amount of process fee.-** A fee of Rs.50 only as one time process fee irrespective of the number of respondents shall be charged in all the cases, in court fee stamps, to be deposited within 3 days in motion cases and within 7 days in admitted matters from the date of order alongwith copies as per respondents. In case the office is closed on 3rd or 7th day, the process fee shall be tendered on the next day when the office is open. This fee will not include the charges for registered cover. There will be additional fee to the extent of Rs.25 for any miscellaneous application filed during the pendency of the proceedings.

In case of default in depositing the process fee within the aforesaid time, the matter shall be placed before the Court at the earliest for appropriate orders with an indication in the cause list that the case has been listed on account of non-payment of process fee.]”

2. ^[2][deleted]

3. Receipt for the process.- No process shall be prepared or issued until the proper fee for the service thereof has been paid, where necessary, but as soon as the process-fee is paid, a receipt in the form contained in the Appendix to these rules shall be granted by the official receiving the same and thereafter the court-fee label denoting the fee shall be placed on the record of the case and immediately punched.

4. Action on default.- Process-fee tendered after the expiration of Action oil the period fixed in rule 2 shall be refused unless it is accompanied by an application, duly stamped with Rs. 2.65 Paise Court-fee under Article 1 (d)(iii) of Schedule II to the Court-Fees Act, 1870, and giving reasons for tendering process-fee late.

5. Action of default.- On the presentation of such application, the Deputy Registrar may, when he is satisfied that service of process can be effected before the date already fixed for hearing, accept the process-fee so tendered and cause notice to be issued for the date of hearing already fixed. Where the Deputy Registrar is of opinion that service cannot be effected before the date of hearing, he will cause the application to be laid before a Judge for orders as to acceptance of belated process-fee and the fixing of a fresh date of hearing.

1. Substituted vide correction slip no. 148 Rules/II.D4 dated 18.08.2011.

2. Rule 2 deleted vide Correction slip no.129/113 Rules/II.D.4, dated 14.11.2003.

Action on default.

6. (1) In the event of process-fee not being paid and no application as provided in rules 4 and 5 being made, the cause will be listed for a date soon after the original date of hearing before a Single Judge or a Division Bench as the case may be, for disposal according to Order 9, rule 2, or Order 41, rule 18, Civil Procedure Code, or otherwise as the Court may order. Previous notice of the date so fixed will be given to the appellant or petitioner, by listing the cause as a Motion Cause and, where the appellant or petitioner in the case is not represented by counsel, by registered post-card also.

(2) Without prejudice to the provisions of sub-rule (1), in cases including petitions under Article 226 for the issuance of directions, orders or writs, where the Court grants any *ex-parte* stay order, injunction or direction in favour of a party with notice to the other side and any process fee is required to be paid for the issuance of the notice, the stay order, injunction or direction, as the case may be, shall not be issued until the process fee has been paid.

^[1]7. Where there are more than one respondent/defendant, the appellant/applicant/plaintiff or his Advocate shall clearly mention the name of such *performa* party if any, or the name of such party who was proceeded *ex-parte* or did not contest the proceedings in the lower court and service shall not be effected ordinarily upon such party unless the Court orders to the contrary.]

APPENDIX

PUNJAB HIGH COURT AT _____

Process-fee Receipt

Received on (date) court fee stamp of the value of Rupees.....in case No.....in re..... versus

Signature of the Head Notice-writer,
(..... Branch).

1. **Rule 7 added** vide correction slip no. 15 Rules/II.D.4. dated 23.01.1990.