

ORIGINAL SIDE JURISDICTION

**COURT FEE PAYABLE IN THE HIGH COURT IN THE FOLLOWING CATEGORY
OF THE CASES AS PER THE AMENDED BOMBAY COURT FEES ACT, 1959
(WITH EFFECT FROM 1st OCTOBER, 2001)
SCHEDULE -I**

Ad Valorem Fees

CATEGORY	ARTICLES OF BOMBAY CRT. FEES ACT , 1959	COURT FEES PAYABLE
1. Plaint in a suit for possession under [Section 6 of the Specific Relief Act, 1963]	--	A fee of one-half the amount prescribed in the scale under Article - 1
2. Plaint, application or petition (including memorandum of appeal), to set aside or modify any award otherwise than under the Arbitration Act, 1940.	---	A fee on the amount or value of the award sought to be set aside or modified, according to the scale prescribed under Article 1.
3. Plain, application or petition (including memorandum of appeal) which is capable of being treated as a suit, to set aside a decree or order having the force of a decree.	--	The same fee as is leviable on a plaint in a suit to obtain the relief granted in the decree or order, as the case may be .
4. Plaint in suit, application or petition (including memorandum of appeal), to set aside of appeal to set aside alienation to which the plaintiff, applicant or appellant, as the case may be, was a party, either directly or through a legal guardian other than de facto or ad hoc guardian, manager or partner or court.	--	A fee on the extent of the value of alienation to be set aside, according to the scale prescribed under Article 1.

5. Complaint in suit (including memorandum of appeal) for possession between the guardian and ward, trustee and beneficiary, principal and agent, wife and husband, executor or administrator and beneficiary, receiver and owner of property and between persons having fiduciary relationship.	---	A fee of one-half of the amount prescribed in the scale under Article 1.
6. Any other complaint. application or petition (including memorandum of appeal), to obtain substantive relief capable of being valued in terms of monetary gain or prevention of monetary loss, including cases wherein application or petition is either treated as a complaint or is described as the mode of obtaining the relief as aforesaid.	--	A fee on the amount of the monetary gain, or loss to be prevented according to the scale prescribed under Article 1.
7. Application for review of judgment if presented on or after the [thirtieth day] from the date of the decree.	--	The fee leviable on the complaint or memorandum of appeal.
8. Application for review of judgment if presented before the [thirtieth day] from the date of the decree	---	One-half of the fee leviable on the complaint or memorandum of appeal.
9. Probate of a will or letters of administration with or without will annexed.	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, on the amount or value upto fifty thousand rupees. When the amount or value of the property in respect of which the grant of probate or letters	Two per cent

	<p>is made exceeds fifty thousand rupees, on the part of the amount or value in excess of fifty thousand rupees, upto two lakh rupees</p> <p>When the amount or value of the property in respect of which the grant of probate or letters is made exceeds two lakh rupees, on the part of the amount or value in excess of two lakh rupees, upto three lakh of rupees,</p> <p>When the amount or value of the property in respect of which the grant of probate or letters is made exceeds three lakh rupees, on the part of the amount or value in excess of three lakh of rupees:</p> <p>Provided that when, after the grant of a certificate under Part X of the Indian Succession Act, 1925, or under Bombay Regulation VIII of 1827 or any corresponding law for the time being in force, in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect of the latter grant shall be reduced by the amount of the fee paid in respect of the former grant.</p>	<p>Four Per Cent</p> <p>Six Per Cent.</p> <p>Seven and half percent, subject to the maximum of 75,000 rupees.</p>
10. Certificate under Part X of the Indian Succession Act, 1925.	---	The fee leviable in the case of a probate (Article 10) on the amount or value of any debt or security specified in the certificate under section 374 of the Act, and [two times] this fee on the amount or value of any debt or security to which the certificate is extended under Section 376 of the Act.

		<p>Note :-</p> <p>(1) The amount of a debt is its amount including interest on the day on which the inclusion of the debt in the certificate is applied for, so far as such amount can be ascertained.</p> <p>(2) Whether or not any power with respect to a security specified in a certificate has been conferred under the Act; and where such a power has been so conferred, whether the power is for the receiving of interest of dividend on, or for the negotiation or transfer of the security, or for the both purposes, the value of the security is its market value on the day on which the inclusion of the security in the certificate is applied for, so far as such value can be ascertained.</p>
11. Certificate under Bombay Regulation VIII of 1827 or under any corresponding law in force.	--	The fee leviable the case of probate (Article 10) on the amount or value of the property in respect of which the certificate granted.
12. Complaint presented with an originating summons under the Rules of the High Court of Bombay (Original Side), [1980]	--	The fee leviable a complaint in a suit or the same relief, subject to a minimum fee of [one hundred rupees]
13. Application or petition made by any assessee to the High Court [under sub-section (2) of section 256 of Income Tax, 1961]	--	One half of ad valorem fee leviable on the amount in dispute [(namely, the difference between the amount of tax actually assessed and the amount of tax admitted by the assessee as payable by him),] subject to the minimum fee of

		[one hundred twenty five rupees]
14. An appeal filed after the 1st June 1999 and pending before the High Court against the order passed in appeal by the Appellate Tribunal, under section 260A(2) of the Income Tax Act, 1961.	--	Ad-valorem fee leviable on the amount in dispute, that is, the difference between the amount of tax actually assessed and the amount of tax admitted by the assessee as payable by him, subject to maximum fee of Rs, 10,000/-
15. An appeal filed after the 1st June 1999 and pending before the High Court against the order passed in appeal by the Appellate Tribunal, under section 27A of the Wealth Tax Act, 1957.	--	One half of the ad valorem fee leviable on the amount of dispute, that is the difference between the amount of the actually assessed and the amount of tax admitted by the assessee as payable by him, subject to the maximum of Rs. 5,000/-
16. Application or petition made by any person (other than the Collector or the Commissioner) to the High Court under any provision of the sales tax law for the time being in force in any part of the [State of Maharashtra]	--	One-half of ad valorem fee leviable on the amount in dispute [(namely, the difference between the amount of tax actually assessed and the amount of tax admitted by the assessee as subject to the minimum fee of [One hundred fifty rupees]