

CHAPTER XII: COSTS

130. Memorandum of Costs: There shall be a memorandum of costs appended to the decree or order, setting out the particulars of the costs, and indicating the party by whom and the party to whom the same should be paid.

131. Calculation of Costs: In all civil cases costs awarded to a party may include:

- (1) The initial lump sum paid at the time of filing;
- (2) Any separate process fee paid subsequently;
- (3) Batta to witnesses summoned on his behalf, who have appeared and given evidence;
- (4) The cost of any certified copy that the Court had requested;
- (5) The cost incurred in obtaining certified copies of judgment and decree or order appealed from or against which the revision is preferred as the case may be;
- (6) The costs incurred in interlocutory matters which are made costs in the cause;
- (7) Expenses and charges paid or incurred to get a document from the lower court records translated or typed.
- (8) Advocates' fee, calculated as per the prescribed formulae.

132. Costs in Absence of Specific Directions: If, in any judgment or order of the High Court, there is no direction regarding costs, it shall be deemed that the Court has directed the parties to bear their own costs. In such cases and in the cases in which the Court directs the parties to bear their own costs, a memorandum of costs shall not be appended to the decree or order.

133. Costs in Writ Petitions and Writ Appeals:

- (1) In writ petitions/writ appeals and matters under Articles 227 and 228 of the Constitution, the quantum of costs shall be decided by the Court and when the Court makes no direction regarding costs, the same shall be deemed to have been refused.
- (2) If costs awarded are not paid, the party entitled to receive the same may apply to the Court, whereupon the Court may transmit the order in the writ petition to any Subordinate Court for execution. Such Subordinate Court shall proceed to execute the same in the manner prescribed for execution of decrees of that Court.