

CHAPTER XXII
Court Deposits and Payments

1. Payment of money—(a) The Registrar and subject to his directions any other officer of the Court shall receive all monies paid into the Court and shall pay out all monies duly ordered to be paid out of Court.

(b) Money may be paid or deposited in Court by postal money order. In that case, the person making the payment shall send to the Registrar a statement containing full particulars regarding the intended payment or deposit.

2. Notice of payment or deposit to judgment creditor or Collector —(a) A person paying money into or depositing property in the Court in part or full satisfaction of a decree or order shall not give notice through the Court of such payment or deposit to the judgment-creditor.

(b) Where the decree directs payment of Court-fees to Government under Order 33, Rule 10 of the Code, no order shall be made on the application for payment of such money or delivery of such property without giving notice thereof to the Collector at the expense of the applicant.

3. Delivery of securities jewellery or other valuables into Court—When jewellery or other valuables are brought into Court, three copies of a descriptive list thereof shall be presented and shall be checked and signed by the Registrar in the presence of the depositor. The jewellery or other valuables shall be placed in a box furnished with a lock and key to be provided by the Depositor. A copy of the list shall be kept in the box and the box shall then be locked and sealed with the seal of the Court. One copy of the list shall be given to the depositor and the third copy of the said list and the key of the box shall be retained by the Registrar. The box shall thereafter be kept in safe custody by the Registrar or in such other custody as the Court may direct.

4. Application for payment of money etc.—Every application for payment of money or delivery of property deposited in Court, shall be instituted in the suit or matter and shall also show the number of the execution application, if any, pending, showing the right and interest of the party applying and the amount claimed.

5. Applications to be checked—Applications to make or receive payments shall be duly checked by reference to the record of the suit or matter before submission for orders to the Registrar.

6. Payment by money order, bank draft, etc.—On the application of the decree-holder or other person entitled to any money deposited in Court and not expended for the purpose for which it

was deposited, if there is no objection to the payment of money on the ground of attachment or otherwise, the Registrar may order that the amount, after making all necessary and lawful deductions, be sent to the applicant at his risk.

(i) By money order, or

(ii) By bank draft by registered post acknowledgement due; or

(iii) In any other manner specified by the applicant, which the Registrar approves:

Provided that before payment is ordered to be made under clause (ii) or (iii) the applicant shall submit a duly stamped receipt for the amount due in the form given below:—

FORM OF RECEIPT

Received the sum of Rs..... (Rupees only) from the High Court of Delhi bearing the amount deposited in the said Court in connection with.

Dated (Stamp)

(Signature of the payee)

7. Written authority of client requisite for payment for Advocate—Unless otherwise ordered by the Court, on payment in excess of Rs. 1,000 shall be made to an advocate on behalf of his client without special authorisation in that behalf by the client in favour of the advocate.

8. Account books to be kept—The following account books shall be kept:

(a) Book of receipts for money paid into Court.

(b) Process-fee receipt book.

(c) Register of deposit receipts, *viz.*, register of sums received in Court in connection with suits or judicial proceedings and deposited with Government (to be kept in duplicate).

(d) Register of deposit payments, *viz.*, register, of payments from sums received into Court in connection with suits or judicial proceedings and deposited with Government (to be kept in duplicate).

(e) Files of applications for refund of lapsed deposits and of statements of lapsed Civil Courts deposits.

(f) Register of attached property.

(g) Register of money received on account of subsistence money of civil prisoners, expenses of witnesses and miscellaneous petty items required for immediate disbursement.

(h) Register of payments on account of subsistence money of civil prisoners, expenses of witnesses and miscellaneous petty items required for immediate disbursement.

(i) Cash Book.

(j) Ledger.

(k) Bank of Treasury pass book.

(l) Bank of Treasury cheque/voucher book.

(m) Register of receipts and of withdrawal of property left in the custody of the Registrar.

(n) Such other registers as may be directed by the Chief Justice to be kept.

9. Signing of cheques and checking of accounts—The Registrar or such other officer, as may be specifically authorised by the Chief Justice in that behalf, is authorised to sign cheques. He shall at least once a month call for the registers and accounts and satisfy himself that the entries have been carefully and properly made. When such inspection is made, he should not the fact in his own hand on the register or account inspected.