



**GANDHI  
& ASSOCIATES**

# **THE COST OF FILING A CIVIL CASE IN NEPAL**

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**A PRACTICAL GUIDE**



**NEPAL**

**PRACTICAL - CLEAR - COHERENT**

# 01

## Why Court Fees Matter Before a Case Even Begins



A civil case does not move forward simply because the facts are strong or the documents are ready. Under Section 64(2) of the National Civil Procedure Code, 2074, a plaint, memorandum of appeal, counterclaim, or petition for review or revision registered without payment of the applicable court fee shall be dismissed. Moreover, if the court fee is not paid, is underpaid, or is calculated on the wrong basis, the case may be delayed, returned for correction, or in some situations dismissed.

For a business, this can have real consequences. A supplier pursuing unpaid invoices may lose time at the filing stage. A landlord seeking eviction may face avoidable procedural objections. A company seeking urgent protection through an injunction may find that even a small filing defect slows down the relief it needs.

The practical lesson is simple: court-fee calculation should be part of litigation planning, not an afterthought.



### Why it matters for your business

- Delays in filing and case registration
- Procedural Objections and avoidable cost
- Impact on urgent relief such as injunctions
- Potential Penalties for undervaluation



Section 65 allows financially unable parties to seek relief from upfront payment, subject to court approval





Court fees in civil cases in Nepal are governed primarily by Chapter 6 of the National Civil Procedure Code, 2074, specifically Sections 63-83, which constitute the chapter on provision relating to court fees. This statute came into force on 17 August 2018 (1 Bhadra 2075), replacing the earlier Muluki Ain framework, and applies to all civil cases filed before the courts.

## Key Sections for Court Fees

- Section 63 - defines "court fee" and its scope
- Section 64 - court-fee payment a pre condition for proceedings
- Section 65 - provides relief for financially unable parties
- Section 66 - plaintiff to specify the value of the claim
- Section 67 - sets the basis for valuation of property claims
- Section 68 - establishes general principles for fixing the court fee
- Section 69 - prescribes the ad valorem slab rates
- Section 70 - prescribes the fixed (lump sum) fees
- Sections 73 and 74 - govern fees on appeal, review, and revision
- Sections 80 - penalties for undervaluation and false claims
- Section 81 - provides for forfeiture of court fee
- Section 82 - governs settlement and partial retention of fee
- Section 83 - recovery of court fee from the losing party



It is important to note that the Government of Nepal and provincial governments are exempt from court fees entirely. Cases within the jurisdiction of the local level and cases involving public or government property under government-initiated proceedings are also exempt.

# 03

## Valuation of the Claim: The Starting Point



The court fee calculation under Section 69 begins with one question: what is the value of the claim?

Section 66 requires the plaintiff to state the value or claimed amount in monetary terms at the time of filing.

### For Property-Related Claims

Section 67 provides the hierarchy for fixing the value:

- 1 The fee fixed by the land revenue office for registration purposes
- 2 The value fixed for tax purposes, if any
- 3 The locally prevailing market value



The market Value is assessed as at the day before the case is filed. Where no market value can be established, the amount claimed by the plaintiff becomes the basis.



### ADDITIONAL CHARGES

Separate from the court fee proper, there are also document charges payable

Charge Type	When Applicable	Amount
Filing Charge	When filing complaint or statement of defense	NPR 200
Appeal Filing	For filing a memorandum of appeal	NPR 300
Writ Petition Filing	For filing a writ petition (other than habeas corpus)	NPR 500
Authenticating POA	Authentication of a POA to initiate proceedings	NPR 500
Property Transfer Filings	for matters involving transfer of property	NPR 5,000

## 04

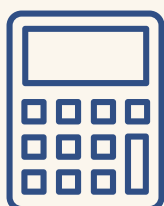
# Ad Valorem Court Fees: The Slab Rates



For claims involving money property, compensation, or other quantifiable value, court fee is charged as per the following slab rates under Section 69:

Claim Amount (NPR)	Rate	Court Fee Payable
Upto 25,000	Fixed	fixed NPR 500
Next 25,000 (25,001 - 50,000)	5%	only for the additional amount within this band
Next 50,000 (50,001 - 100,000)	3.5%	only for the additional amount within this band
Next 400,000 (100,001 - 500,000)	2%	only for the additional amount within this band
Next 2,000,000 (500,001 - 2,500,000)	1.5%	only for the additional amount within this band
Above 2,500,000	1%	only for the additional amount within this band

## EXAMPLE CALCULATIONS



Claim Amount:	NPR. 75,000	
First 25,000	Fixed	NPR 500
+ Next 25,000	5% x 25,000	NPR 1,250
+ Next 25,000	3.5% x 25,000	<u>NPR 875</u>
<b>Total Court Fee</b>		<b>NPR. 2,625</b>



### BANK GUARANTEES

BG may be accepted in specific court-related contexts, such as bail, surety, execution security, or compliance with interim orders. They are not a general substitute for court-fees. Filing fees are ordinarily paid in cash or by bank voucher, and any bank guarantee should be confirmed with the court registry first.



# 05

## Fixed (Lump Sum) Court Fees



For certain applications and proceedings, the court fee is a fixed amount (lump sum) and does not depend on the value of the claim.

### NPR 500

Applicable for the following matters:



- a Registration or transmission of a land or voidance of such registration or transmission
- b Claim for invoice and receipt
- c Claim for the invalidation of a deed, deed of date for repayment, letter of guarantee, bond, receipt etc.
- d Claim on obstruction of a dam, canal or ditch or disputes over water use in breach of priority order
- e Claim for opening or closing any exit, window or door
- f Claim for the issuance of an injunction or mandatory order (or vacation of such order)
- g Claim for the eviction of tenant from a house or land
- h Determination of full competency, quasi-competency or incompetency of a person
- i Divorce
- j Settlement of Relationship
- k Claim for the judicial declaration of the death or voidance thereof
- l Claim for commencement or non-commencement of insolvency proceeding
- m Claim for the eviction of tenant from a house or land
- n Appointment or voidance of appointment of a trustee, guardian or curator
- o Claim for usufruct (unless a specific value is stated)

### NPR 1,000

Applicable for the following matters:



- a Claims for ascertainment or provision of a partition share in property subject to partition
- b Voidance of a deed or document

### NPR 2,500

Applicable for the following matters:



- Contract disputes where no amount is specified in the contract



**Note:** Fees may be amended by Government notification from time to time.



# 06

## Procedural Discipline in Payments



The court fee must be paid in the manner and time prescribed by law and the court.



01

### Pay before proceeding

Court fee is a mandatory pre-condition failure to pay will result in dismissal of the case.



02

### Mode of Payment

Court fee must be paid through the prescribed treasury / revenue account as directed by the court.



03

### Proof of Payment

Always attach the original receipt or revenue voucher with your case documents



04

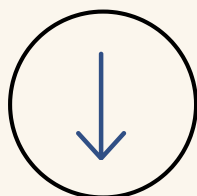
### Delay May cause Prejudice

Delay in payment can cause the case to be returned, kept pending or dismissed, affecting your rights.

## Shortfall, Excess and Penalties

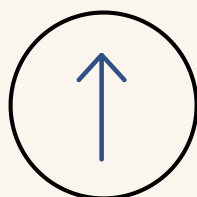


Consequences where court fee is not paid in full, or where the claim is improperly valued.



### Shortfall (Underpayment)

If any court fee is found to be short, the court will require payment of the shortfall along with a penalty up to 100% of the short amount.



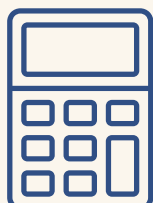
### Excess Payment

If excess court fee is paid, the excess amount may be adjusted in other proceedings or refunded as per court orders.



### False Claim / Incorrect Valuation

If the claim is undervalued internationally, or a false claim is made, the court may impose additional penalties and other legal consequences



### Example

**Claim value: NPR 2,00,000**

**Correct court fee (4%): NPR 8,000**

**Paid: NPR 4,000 (Shortfall: NPR 4,000)**

**Penalty up to 100%: Up to NPR 4,000**




**Total payable: Up to NPR 8,000**

## 08

# Appeals, Review and Revision Fees



Fees for appellate and other proceedings are prescribed under section 73 & 74

Proceeding Type	Court Fee Payable
 <p>Appeal</p>	<p>50% of the court fee paid in the lower court (or minimum NPR 1,000)</p>
 <p>Review</p>	<p>30% of the court fee paid in the lower court (or minimum NPR 1,000)</p>
 <p>Revision</p>	<p>20% of the court fee paid in the lower court (or minimum NPR 1,000)</p>



**Note: Higher court cannot hear the case unless the applicable court fee is paid.**

# Settlement and Partial Retention



Where a case is settled wholly or partly, the court fee already paid is dealt with as follows:

01



## Full settlement

Court fee is refunded after deducting the necessary expenses incurred.

02



## Partial settlement

Court fee is retained in proportion to the amount of the claim settled.

03



## Record in Court

Settlement must be recorded by the court for the above to apply



Ensure settlement agreement clearly mentions cost arrangement

# 10

## Recovery of Court Fees



The prevailing party may recover the court fee from the losing party.



### Can be claimed in the same case

Court may order the losing party to pay the court fee.



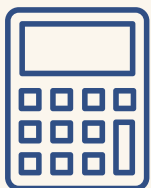
### Applies to all stages

Applicable in trial, appeal, review, and revision proceedings.



### Part of Decree / Order

Recovery becomes part of the final decree or court order.



### Example

**Court fee paid: NPR 20,000**

**If you win the case, the court may order the losing party to reimburse this amount.**

# 11

## Business Checklist



Before filing any civil case or proceeding ensure the following:

- Identify the correct nature of case / application.
- Determine the value of the claim accurately
- Calculate court fee as per applicable slab or fixed fee
- Check for any additional charges (copies, notices, etc.)
- Pay court fee through the prescribed channel
- Attach original receipt with the documents
- If unable to pay, file an application under Section 65
- Keep proof and records for future recovery
- Review settlement cost implications (if applicable)
- Plan for possible appeal / review court fee in advance



### Pro Tip

**Early and accurate court-fee planning saves time, cost, and protects your legal rights.**