**Process fee not required if State is a respondent: Karnataka HC circular**

*The circular was issued pursuant to an order of the Karnataka High Court which noted that Writ Petitions are not numbered unless proof of service is shown.*

The Registrar of Karnataka High Court has issued a circular directing that the payment of process fee is not required if the State is arrayed as a respondent. The circular states that since advanced notice is given to the State as a matter of rule, process fee need not be collected from the Petitioners.

The circular directs the officers and officials of all the 3 benches of Karnataka High Court not to collect process fee from the Petitioners for issuance of notice if the State is a respondent **particularly** when the State’s name is printed in the cause list and a proof of service is annexed. The circular also states that any lapses in following the circular will be viewed seriously by the registry.

It was issued by the Registrar pursuant to the order of a division bench of Karnataka High Court consisting of **Justices Sathish Chandra Sharma and R.Natraj** in a Writ Petition numbered 10338/2021. The order dated 02.09.2021 has the court noted that since Rule 4 of Writ Proceeding Rules, 1977 mandates the issuance of advanced copy to the government and the registry does not number matters unless the proof of service is shown, the question of paying process fee does not arise. The court further noted that the name of the government counsel is printed in the cause list even prior to the issuance of notice.

The court further directed the Registrar (Judicial) to place to the file before the Chief Justice to obtain an order to this effect and subsequently issue a circular. The circular was issued by K.S.Bharath Kumar, Registrar (Judicial), Principal Bench of Karnataka High Court at Bengaluru.