

LIST OF COMMON FILING DEFECTS

1. Index & Paging

1. Index not filed.
2. Index not proper / not at proper at particular place.
3. Index incomplete (eg. Annexure/ Application/ Stay Pet. not shown).
4. Paging not done in index.
5. Paging not done.
6. Incorrect paging.
7. Paging not done according to pagination displayed on website of Rajasthan High Court.
8. Index not signed by counsel.
9. Over writing in index.

2. Synopsis

1. Synopsis not filed.
2. Synopsis not proper/ not at proper place.
3. Synopsis does not contain chronological dates.
4. Synopsis not signed by counsel.

3. Formatting

1. Space left blank at particular page.
2. Correct marking of paragraph not done (Not numbered consecutively) in the body of petition/appeal.
3. Petition is not addressed to Hon'ble the Chief Justice and his other companion judges.
4. Petition/Application filed through authorized signatory but authorization letter not filed.
5. Custody certificate not filed.
6. Index and Certificate regarding additional document not filed.

4. Parties

1. Cause title does not tally with the impugned order.
2. Complete address of the petitioner/ respondents not mentioned.
3. Tribunal/lower court should not be made a party.
4. Respondent impleaded improperly.
5. Necessary party not impleaded in Habeas Corpus Petition.
6. Status of parties not mentioned in the cause title.
7. Registered address not filed / not filled/ not signed.
8. The appellant / applicant / review petitioner is not a party in main case and application not filed for leave to file this appeal/review petition/misc. application.

5. **Signature**

1. Signature of party not done.
2. Thumb impression not identified with name.(LTI or RTI.)
3. Counsel has not signed prayer/foot notes.

6. **Affidavit**

1. Affidavit in support of petition/stay application/ documents not filed.
2. Affidavit not signed by the deponent.
3. Identification of deponent not done in affidavit.
4. Age of deponent not mentioned in affidavit.
5. Complete address of deponent not mentioned in affidavit.
6. Affidavit in support of documents does not match with annexures.
7. Correct case type/title not mentioned in affidavits.
8. Affidavit not attested and verified by Oath Commissioner.
9. Affidavit not filed in proper format.
10. Notary serial number not shown.
11. Seal of Oath Commissioner left blank.
12. Notary Stamp not affixed / deficit.

7. **Petition**

1. Petition not attested by Oath Commissioner.
2. Petition not filed on stout/ pie papers.

8. **Annexures**

1. Certified copy of impugned order(s) not filed.
2. Signature of competent authority not put on annexure.
3. Particular Annexure(s) at particular page(s) is/ are faint/ illegible/ handwritten/ dim, either fresh or typed copy required.
4. Underlining and highlighting done on particular page either be deleted or fresh copy required.
5. Particular Annexure at particular page be filed on foolscap and one side of paper.
6. One side printed copy is required of a document printed on both sides.
7. Proper margin not left in a particular Annexure at particular page.
8. Complete/all annexure (s) not filed.
9. Annexure (s) is/are not in chronological form.
10. Date of annexure does not tally with index and body of writ petition.
11. Particular Order not filed and not marked as Annexure.
12. Annexure number not marked on annexures.
13. Correction not signed by counsel.
14. Particular Annexure not attested.
15. Documents are filed but application for taking the same on record not filed.

9. **Court Fees and Valuation**

1. Court fees and valuation not mentioned/left blank.
2. Does not mention the value for the purpose of court fee.
3. Required court fee not paid/ insufficiently paid.
4. Court fee not affixed to annexures/ vakalatnama.
5. Court fee not paid and application u/s 149 CPC not filed.
6. Valuation of Appeal not shown. Court Fee may be calculated thereafter.

10. Subject matter

1. Subject matter is incomplete.
2. Provision of law not mentioned / incorrect in subject matter.
3. Name of Presiding Officer not mentioned in subject matter.
4. Name of Police Station and FIR Number not mentioned.
5. Case number of lower court not mentioned/ mentioned incorrect in the subject matter.
6. Date of impugned order not mentioned/ mentioned incorrect in the subject matter.
7. Name of lower court is not mentioned/ mentioned incorrect in the subject matter.
8. Result of orders of lower court not mentioned in subject matter.
9. Name of jail not mentioned in subject matter.
10. As per section 14-A of SC& ST Act, Bail Application is filed instead of Criminal Appeal.

11. Foot Notes

1. SB/ DB not mentioned in Foot Notes
2. Foot notes incomplete.
3. Foot note with regard to status of previously filed bail application before this Hon'ble Court not mentioned.
4. Foot note regarding alternate remedy not made.
5. Foot Note regarding filing of SLP before Hon'ble Apex court, not mentioned.
6. Foot Note regarding Jurisdiction, not mentioned.

12. Vakalatnama

1. Vakalatnama not filed.
2. Vakalatnama on behalf of a particular petitioner/appellant not filed.
3. Vakalatnama not signed by party/ particular parties.
4. Complete address and description of particular parties not written on Vakalatnama.
5. Vakalatnama not signed by counsel.
6. Welfare stamp/court fee stamp not affixed on Vakalatnama.
7. Enrollment number not written on Vakalatnama.
8. Case Type not mentioned in Vakalatnama.

9. Title not mentioned in Vakalatnama

10. Name(s) of Advocate (s) not mentioned in Vakalatnama.

13. **Compensation Certificate**

1. Receipt u/s 173 of M. V. Act not filed by non-claimant.

2. Compensation certificate under particular section not filed.

3. Application u/s 151 CPC for exemption not filed.

14. **Extra sets**

1. Extra sets for D. B. not filed.

2. Extra sets not initialed.

15. **Public Interest Application**

1. PIL petition not drawn/filed in the format as per rule.

2. PIL Does not mention particulars of petitioner(s) with photographs and address proof.

3. Particulars of the deponent filing the affidavit in support of PIL petition not mentioned.

4. PIL Petition filed by SAG or NGO but specific resolution as to cause of such petition not filed.

5. PIL petition does not disclose social public standing/ professional status and public spirited antecedents of petitioner(s).

6. PIL petition does not disclose source of finance and expenditure with PAN number if any.

7. PIL petition does not contain source of information, as to subject matter.

8. PIL petition does not disclose whether any other civil/revenue/criminal litigation as to same subject is pending or not.

9. PIL petition not supported by prima-facie proof and an affidavit on each substantive averment/ allegation.

10. PIL petition does not contain a declaration of petitioners as to thorough research being conducted in the matter and all relevant materials as to such research be annexed with petition.

11. PIL petition does not contain a declaration of petitioner(s), that the issue raised has not been dealt and decided and a similar /Identical petition was not filed earlier by any person, as to best of the knowledge and research.

16. **Special appeal**

1. The Special Appeal is not presented in accordance with Order No. 13/SO/2016 dated 17.05.2016.

2. The paper book set of S. B. Civil Writ Petition not enclosed with Special Appeal.

3. Particular document(s) not enclosed with paper book set of Special Appeal

4. Index of documents not filed at proper place as per original record.

5. Present Special Appeal filed against order under Article 227 of Constitution of India is not permissible as per Rule 134 of Raj. High Court Rules, 1952.
6. Paging in paper book set of petition not tally with original record of writ petition.

17. **File Cover**

1. Name of concerned District / Department not mentioned.
2. Service/Misc. not mentioned.
3. Complete subject matter not mentioned.
4. Complete points of Law not mentioned.
5. SB/ DB not mentioned.
6. Virus challenged or not - Not Mentioned.
7. Advocate names & Enrollment number not mentioned.
8. Application under Section 5 of Limitation Act not filed in separate file cover.