

RAJASTHAN HIGH COURT, JODHPUR

S.R.O. No. 03/2017

Date :- 13.06.17

The Rajasthan Vexatious Litigation (Prevention) Rules, 2017

In exercise of the powers conferred by Section 6 of the Rajasthan Vexatious Litigation (Prevention) Act, 2015 and all other powers enabling in this behalf, the High Court of Judicature for Rajasthan, hereby makes the following Rules -

1. These Rules may be cited as "The Rajasthan Vexatious Litigation (Prevention) Rules, 2017."
2. They shall come into force from the date of their publication in the official Gazette.
3. In these Rules unless the context or subject matter otherwise requires: 'The Act' means the Rajasthan Vexatious Litigation (Prevention) Act, 2015:
4. Every application by the person enumerated under Section 2(1)(a) (b)(c) shall describe him as applicant and the person against whom the application is made as non-applicant.
5. The application shall state the full name of the non-applicant, his occupation, address and the nature of proceedings instituted by him, Civil or Criminal and the Courts in which such proceedings were or are instituted together with their results, if any.
6. The application shall be signed and verified by the Advocate General or by the Registrar General of the High Court or by the person seeking leave of the court, against whom non-applicant has instituted or conducted proceedings, Civil or Criminal.
7. The application shall be filed in the High Court and it shall be registered as D.B.Civil Miscellaneous Application.
8. The application shall be accompanied by requisite sets of copies of the application and other documents for the use of the Court and for non-applicant(s).
9. The application shall be placed before the Division Bench for declaring a person as a vexatious litigant.

10. Unless the Court considers otherwise, notice of the application shall be served on the Advocate General in case application is filed by any person referred to in clause (b) or clause (c) of sub-section (1) of Section 2 of the Act and on the non-applicant calling upon him to show cause.
11. The person so served, may appear in person or through an Advocate and show cause against the proposed action.
12. On consideration of the material placed before the Court, the Court may either reject the application or pass an order for declaration in terms of Section 2(2) of the Act.
13. The order passed under Section 2(2) shall be published in the official Gazette and two daily newspapers printed in Hindi and English published in Rajasthan having a good circulation and shall be circulated to such Courts as the Court may direct.
14. The Judge or Magistrate who receives a copy of an order made under sub-section (2) of Section 2 shall enter it in a Register to be kept for that purpose.
15. A person against whom an order of declaration under Section 2(2) has been made may apply for leave to institute or continue the proceedings-
 - (i) if the proceedings proposed to be filed or continued in the High Court to the Division Bench of the High Court;
 - (ii) if the proceedings proposed to be filed or continued by the person declared as a vexatious litigant in any court subordinate to the High Court, to the District and Sessions Judge of the Judgeship concerned.
16. (a) Every application for leave to institute a proceeding by a person against whom an order of declaration under Section 2(2) is made, shall be accompanied by the requisite number of the copies of the application for leave and of the intended plaint or a proceeding and copies of the documents on which the applicant wants to rely.

(b) In every such application, the Advocate General or the Registrar General or the person against whom the proceeding is to be instituted or continued, as the case may be, shall be impleaded as non-applicant.
17. On consideration of the material placed, the appropriate court may either grant the leave or pass any appropriate order as per the circumstance of the case.



18. In computing the period of limitation prescribed for any suit, appeal or proceeding in any case where an application for leave to institute the proceedings has been made and allowed, the time during which the applicant has been prosecuting his application for such leave shall be excluded.
19. The person making an application under the Act shall pay requisite fees.
20. Every order of costs passed on the application shall be executable as a decree in the manner provided in the Code of Civil Procedure.

BY ORDER

(SATISH KUMAR SHARMA)
REGISTRAR GENERAL

No. Gen./XV/23/2016/5115

Dated:- 13-06-17

Copy forwarded to the followings for information and necessary action:-

1. Secretary General, Supreme Court of India, New Delhi.
2. Registrar General, All the High Courts.
3. Secretary, Government of India, Ministry of Law & Justice, New Delhi.
4. Chief Secretary, Government of Rajasthan, Jaipur.
- ✓ 5. Principal Secretary to Government, Law Department-Cum-Legal Remembrance, Rajasthan, Jaipur with the request to kindly obtain the permission from the Bhasha Vibhag for publication of this Notification in English as a special case and convey the same to the Superintendent Government Central Press, Jaipur under intimation to this office.
6. The Superintendent, Government Central Press Rajasthan Jaipur for publication in the next issue of the Rajasthan Rajpatra. Exemption for publication of the Notification in Hindi is being obtained from the Bhasha Vibhag through the Law Secretary. A copy of such Gazette may kindly be sent to this office immediately.
7. Registrar (Admn.) Rajasthan High Court, Jodhpur/Jaipur Bench, Jaipur
8. Registrar-cum-Principal Secretary to Hon'ble The Chief Justice, Rajasthan High Court.
9. All Registrars/ OSD, Rajasthan High Court, Jodhpur/ Jaipur Bench, Jaipur
10. Registrar, Rajasthan High Court, HQR Delhi, Bikaner House, Shahjhan Road, New Delhi-11.

11. Registrar (Classification) Rajasthan High Court, Jodhpur with the request to upload the same on the official website.
12. Director, Rajasthan State Judicial Academy, Jodhpur.
13. Chief Account Officer, Rajasthan High Court, Jodhpur.
14. All the District & Sessions Judges.
15. The Secretary, Bar Council of Rajasthan, Jodhpur.
16. The President, Rajasthan High Court Advocates Association, Jodhpur/Jaipur.
17. The President, Rajasthan High Court Lawyers Association, Jodhpur.
18. The President, Bar Association, Jaipur.
19. The Advocate General/ All Additional Advocate General, Rajasthan High Court, Jodhpur/Jaipur.
20. All Sr.Deputy Registrars/ Deputy Registrars, Rajasthan High Court, Jodhpur/ Jaipur Bench, Jaipur.
21. All Assistant Registrar/Court Officer, Rajasthan High Court, Jodhpur/Jaipur Bench, Jaipur.
22. Senior Librarian, Rajasthan High Court, Jodhpur / Bench Jaipur.
23. P. S. to Hon'ble Mr./Dr./Kumari/Ms. Justice _____
24. All Assistant Account Officer/All Administrative Officer Judicial, Rajasthan High Court, Jodhpur/Jaipur Bench, Jaipur.
25. Notice Board.


REGISTRAR GENERAL