



HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 7169/2016

1. State Bank of India, having its registered office at State Bank Bhawan, M.C. Road, Nariman Point, Mumbai, Maharashtra, through its local head office at Tilak Marg, C-scheme, Jaipur through Rajesh Kumar Meena, Assistant General Manager (Human Resources)
2. Mr. AC Rout, General Manager, (HR & General Admin), State Bank of India, having its local head office at Tilak Marg, C-Scheme, Jaipur

-----Petitioners

Versus

Babu Lal Meena, son of (late) Panchuram Meena, aged 47 years, resident of Dhani Khathyawali Tan – Amai, Tehsil Kotputli, District Jaipur, Rajasthan.

-----Respondent

For Petitioner(s)	:	Mr. AK Sharma, Sr. Advocate assisted by Mr. Madhav Dadhich, Ms. Suruchi Kasliwal through VC, Mr. Vikram Singh, Ms. Annika Anna & Ms. Aayushi Jain
For Respondent(s)	:	Mr. Babu Lal Meena, respondent present-in-person

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

30/10/2025

(Oral)

REPORTABLE

1. This application under Section 2(1)C of the Rajasthan Vexatious Litigation (Prevention) Act, 2015 (for short 'the Act of 2015') has been filed by the State of Bank of Bikaner and Jaipur, (as it was then, now the State Bank of India) along with



General Manager, Mr. A.C. Rout wherein, they have prayed for declaring respondent-Babu Lal Meena a vexatious litigant.

2. The Act of 2015 was enacted to prevent continuance of vexatious proceedings (civil & criminal) in the High Court and in the Courts subordinate thereto. It provides in terms of Section 2 of the Act of 2015 as under:

"2. Declaration of a person as a vexatious litigant.-

(1) An application for declaring a person as a vexatious litigant may be filed before the High Court-

(a) by the Advocate General; or

(b) by the Registrar General of the High Court; or

(c) with the leave of the High Court, by a person against whom another person has instituted or conducted proceedings, civil or criminal"

(2) If, on an application filed under sub-section (1), the High Court is satisfied that any person has habitually and without any reasonable ground instituted vexatious proceedings, civil or criminal, in any court whether against the same person or against different persons, the High Court may, after giving the person who has instituted such proceedings, an opportunity of being heard, declare that person as a vexatious litigant.

(3) When an application is filed by any person referred to in clause (b) or clause (c) of sub-section (1), the Advocate General shall also be heard on the application.

(4) Application filed under sub-section(1) shall be heard and decided by a Division Bench of the High Court."

3. The procedure for granting leave of the Court necessary for vexatious litigant is provided in Section 5 of the Act of 2015, which reads as under:

"5. Proceedings, civil or criminal, instituted or continued without leave of the appropriate Court to be dismissed and other consequences.- (1) Any proceedings, civil or criminal, instituted or continued in any court by a person against whom an order under sub-section (1) of section 3 has been made, without obtaining the leave referred to in that sub-section, shall be dismissed by the said court.

(2) While dismissing the proceedings under sub-section (1), the court shall also direct such vexatious litigant to pay costs."





4. From the perusal of the above, it is apparent that the concerned Court, where an application is moved, shall have to satisfy that the proceedings which have been initiated by the applicant are not an abuse of the process of Court and *prima facie* ground is made out on the basis of the proceedings initiated by such person to declare him as vexatious litigant. The institution or continuation of civil or criminal proceeding would be treated as separate from those proceedings which may be continued or initiated under Article 226 of the Constitution of India.

5. Before we grant leave, the application was admitted and notices were served upon the respondent who has filed detailed reply wherein, he has raised several objections. In essence, he submits that several officers of the bank are involved in criminal activities and he, therefore, as an honest citizen, filed complaints against them and registered FIRs also. The applicants before us have, in their application, pointed out that the respondent was initially appointed as a Clerk-cum-Cashier on 29.07.1989 and was promoted as Grade-I Officer on 01.12.2003 in the erstwhile State Bank of Bikaner & Jaipur. He has filed various litigations and dragged the bank and 47 officers into frivolous and vexatious litigations. It is stated that as soon as any departmental proceeding sought to be initiated against the respondent, he would in a counter plea initiate proceedings against the concerned officer. Ultimately, the respondent was compulsorily retired while he was working as an Assistant Manager in terms of Section 67(h) of the State Bank of Bikaner & Jaipur (Officers') Service Regulations, 1979



vide order dated 31.03.2015. It is stated that the writ petition has been preferred before this Court challenging the compulsory retirement which is already pending. A chart has been placed before this Court in the application pointing out the FIRs and complaints registered at Police Stations; (i) Sarada, Udaipur, (ii) Shastri Nagar, Jodhpur, (iii) Kotputli, (iv) Ashok Nagar, Jaipur, (v) Sodala, Jaipur, (vi) Mahua, (vii) NEB, Subash Nagar, Alwar, (viii) Salumbar, Udaipur, (ix) Mandawar, Dausa by the respondent against the officers of the bank and the allegations levelled are mentioned as relating to being harassed and victimized owing to being a member of a Scheduled Tribe, on account of which disciplinary proceedings were initiated against the concerned respondent. In all the above 9 proceedings, criminal proceedings have been initiated by the respondent. In those cases where final report was submitted, protest petitions were filed by the respondent which too were rejected and thereafter revision petitions have also been filed. It is stated that none of the officers has any personal bearing with the respondent. Bank has incurred huge loss of public resources and the officers have had to travel for dealing with the litigations initiated by the respondent.

6. The Rajasthan High Court has framed the Rajasthan Vexatious Litigation (Prevention) Rules, 2017 which provide that unless the Courts consider otherwise, the notice of the application shall be served on the Advocate General in case the application is filed by any person referred to in clause (b) or clause (c) of Section 2(1) of the Act of 2015, apart from issuing notices to the non-applicant.



7. Before deciding the present case, it is important to state the effects of such kinds of frivolous litigation. In this regard, while adjudicating on cases pertaining to vexatious litigation, it would be prudent to keep in mind the observations by the Hon'ble Supreme Court in **Subrata Roy Sahara vs Union of India and Ors, (2014) 8 SCC 470**, which reads as under:

"191. The Indian judicial system is grossly afflicted with frivolous litigation. Ways and means need to be evolved to deter litigants from their compulsive obsession towards senseless and ill-considered claims. One needs to keep in mind that in the process of litigation, there is an innocent sufferer on the other side of every irresponsible and senseless claim. He suffers long-drawn anxious periods of nervousness and restlessness, whilst the litigation is pending without any fault on his part....."

8. As this case involves registration of multiple FIRs in different police stations, it would also be apposite to quote the observations of the Hon'ble Supreme Court in the case of **Mahmood Ali and Ors. vs State of U.P. and Ors, (2023) 15 SCC 488**, which read as under:

"11. At this stage, we would like to observe something important. Whenever an accused comes before the Court invoking either the inherent powers under Section 482 of the Code of Criminal Procedure (CrPC) or extraordinary jurisdiction under Article 226 of the Constitution to get the FIR or the criminal proceedings quashed essentially on the ground that such proceedings are manifestly frivolous or vexatious or instituted with the ulterior motive for wreaking vengeance, then in such circumstances the court owes a duty to look into the FIR with care and a little more closely.

12. We say so because once the complainant decides to proceed against the accused with an ulterior motive for wreaking personal vengeance etc. then he would ensure that the FIR/complaint is very well drafted with all the necessary pleadings. The complainant would ensure that the averments made in the FIR/complaint are such that they disclose the necessary ingredients to constitute the alleged offence. Therefore, it will not be just enough for the Court to look into the averments made in the FIR/complaint alone for the purpose of ascertaining whether the necessary ingredients to constitute the alleged offence are disclosed or not.



13. *In frivolous or vexatious proceedings, the Court owes a duty to look into many other attending circumstances emerging from the record of the case over and above the averments and, if need be, with due care and circumspection try to read in between the lines. The Court while exercising its jurisdiction under Section 482 CrPC or Article 226 of the Constitution need not restrict itself only to the stage of a case but is empowered to take into account the overall circumstances leading to the initiation/registration of the case as well as the materials collected in the course of investigation. Take for instance the case on hand. Multiple FIRs have been registered over a period of time. It is in the background of such circumstances the registration of multiple FIRs assumes importance, thereby attracting the issue of wreaking vengeance out of private or personal grudge as alleged."*

9. Keeping in mind the need for deterrence expressed in **Subrata Roy (supra)** and to aid in determination of such cases in the future, we deem it appropriate to mention various judgments which have dealt with vexatious litigation with respect to different aspects as under:

(i) Filing of multiple meritless review petitions, appeals and motions (see decision of the Hon'ble Supreme Court in **Pandurang Vithal Kevne vs Bharat Sanchar Nigam Limited & Anr. 2024 SCC OnLine SC 4108**) irrespective of being or not being barred by *res judicata* (see decision of the Hon'ble Supreme Court in **K.K. Modi vs K.N. Modi & Ors., (1998) 3 SCC 573**).

(ii) Registration of multiple FIRs by same person against same accused on same facts and allegations (see decision of the Hon'ble Supreme Court in **Tarak Dash Mukharjee and Ors. vs State of Uttar Pradesh and Ors., 2022 SCC OnLine SC 2121**).

(iii) Suppression of material fact (see decision of the Hon'ble Patna High Court in **Captain Rajesh Kumar vs Pramila Singh and Ors., 2024 SCC OnLine Pat 7826**).



(iv) Deliberately attempting to invoke the wrong jurisdiction (see decision of the Hon'ble Punjab and Haryana High Court in **Payal Chaudhary vs KAP Sinha IAS and Ors., 2025 SCC OnLine P&H 5339**).

(v) Impleading unnecessary parties (see decision of the Hon'ble Madras High Court in **Bhavikha Jain M. vs Shankar Jiwal and Ors., MANU/TN/3560/2024**).

(vi) Unjustifiable delay in initiation of proceedings (see decision of the Hon'ble Madras High Court in **K. Murali and Ors. vs State Rep. by The Inspector of Police and Anr., Crl. O.P. No. 18289 of 2022**).

The aforesaid instances are only illustrative and not exhaustive and would have to be considered in reference to the context of the case before the Court.

10. In the present case, as the matter relates to way back when the respondent was an employee, we do not deem it appropriate to issue any further notice to the Advocate General. Having noticed the contents as above, and considering that the respondent is still continuing to register cases even after filing of the FIR, we grant leave in terms of Section 3 of the Act of 2015 and hold the respondent as a vexatious litigant in terms of Section 2 of the Act of 2015 and order that no proceedings (civil or criminal) shall be continued by such person in the High Court or any other Court subordinate thereto.

11. Further, we also direct that no proceedings (civil or criminal), if already instituted by the respondent in the High Court or any other Court subordinate thereto, shall be





continued by him. However, if he wants to initiate any proceeding, he would first have to seek leave of the Court and move an appropriate application. The respondent shall not be allowed to institute any proceedings without further leave of the Court.

12. Publication of this order shall be made in the official gazette as per the rules framed by the High Court. Copy of the order shall also be sent to the concerned Courts where the proceedings, if any, may have been initiated by the respondent.

13. The application (No.2/2024) stands allowed.

14. The application (IA No.4/2019) moved under Section 340 of The Code of Criminal Procedure 1973 read with Section 195 of The Indian Penal Code 1860 filed by the respondent also stands closed in view of the order passed by this Court.

15. The writ petition is, accordingly, allowed.

(BALJINDER SINGH SANDHU),J

(SANJEEV PRAKASH SHARMA),ACTING CJ

RAHUL MIRKHANI/66

