

**IN THE HIGH COURT OF NEW ZEALAND  
AUCKLAND REGISTRY**

**I TE KŌTI MATUA O AOTEAROA  
TĀMAKI MAKĀURAU ROHE**

**CIV-2018-404-979  
[2018] NZHC 1183**

BETWEEN

RAZDAN RAFIQ  
Applicant

AND

THE HIGH COURT AT AUCKLAND  
First Respondent

THE CHIEF EXECUTIVE OFFICER OF  
THE MINISTRY OF SOCIAL  
DEVELOPMENT  
Second Respondent

Hearing: On the papers

Appearances: R Rafiq in person

Judgment: 24 May 2018

---

**JUDGMENT OF LANG J  
[on application by vexatious litigant for leave to commence proceeding]**

---

*This judgment was delivered by me on 24 May 2018 at 2.30 pm,  
pursuant to Rule 11.5 of the High Court Rules.*

*Registrar/Deputy Registrar*

*Date.....*



[6] The claim against the Chief Executive is similarly an abuse of process because Mr Rafiq has no ability to sue in defamation for remarks defamatory of a person other than himself. The prayer for relief in this cause of action is also in similar terms to that relating to the claim against the Registrar but additionally seeks aggravated damages and/or general damages in similar amounts.

[7] Neither claim can be permitted to proceed.

### **Result**

[8] Leave to commence the proceeding is refused.

---

Lang J

Copy to: R Rafiq