

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

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

**CIV-2018-404-309
[2018] NZHC 283**

BETWEEN

RAZDAN RAFIQ
Applicant

AND

NEW ZEALAND CUSTOMS SERVICE
Respondent

Hearing: On the papers

Appearances: Applicant in person

Judgment: 1 March 2018

JUDGMENT OF LANG J

*This judgment was delivered by me on 1 March 2018 at 3.30 pm,
pursuant to Rule 11.5 of the High Court Rules.*

Registrar/Deputy Registrar

Date.....

[1] On 27 May 2015 Wylie J made an order against Mr Rafiq under s 88B of the Judicature Act 1908.¹ In terms of the order Mr Rafiq is not permitted to institute any civil proceeding in any Court without the leave of a Judge of the High Court.

[2] Mr Rafiq has filed an application for leave to commence a claim for defamation against the New Zealand Customs Service in respect of defamatory statements it is alleged to have made in February 2008.

[3] The latest proceeding is clearly an attempt by Mr Rafiq to engage in the same type of litigation that led to him being declared a vexatious litigant. It is also similar in nature to other proceedings issued by Mr Rafiq at the end of 2015 under CIV-2015-404-015, 2015-404-2709, 2015-404-2710, 2015-404-2766 and 2015-404-2767. Each of those proceedings was struck out by Palmer J in a judgment delivered on 3 December 2015.²

[4] I am satisfied that it is similarly appropriate to refuse leave in the present case. The application for leave is accordingly dismissed.

Lang J

Copy to Applicant

¹ *Attorney-General v Rafiq* [2015] NZHC 1153.

² *Rafiq v Director of Civil Aviation Authority* [2015] NZHC 3049.