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HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 20051/2019
Bhagwati Singh (Since Deceased) S/o (Late) Shri Raja Mansingh
-----Petitioner

Versus

Raja Laxman Singh S/o (Late) Shri Raja Mansingh
-----Respondent

Connected With

S.B. Civil Writ Petition No. 20049/2019
Bhagwati Singh (Since Deceased) S/o (Late) Shri Raja Mansingh
-----Petitioner

Versus

Raja Laxman Singh S/o (Late) Shri Raja Mansingh
-----Respondent



For Petitioner(s) : Ms. Suruchi Kasliwal through VC
For Respondent(s) : Mr. Anupam Bhargava through VC for
Mr. Ashish Kumar Singh

HON'BLE MR. JUSTICE SAMEER JAIN
Order

11/01/2022

On perusal of the cause title of the petition, it was analyzed that respondent No.1 was titled "Raja Laxman Singh".

In the light of 26th Amendment in the Constitution of India and on perusal of Article 363-A is as below:-

"363 A. Recognition granted to Rulers of Indian States to cease and privy purses to be abolished.— Notwithstanding anything in this Constitution or in any law for the time being in force

—
(a) the Prince, Chief or other person who, at any time before the commencement of the Constitution (Twenty-sixth Amendment) Act, 1971, was recognised by the President as the Ruler of an Indian State or any person who, at any time before such commencement, was recognised by the President as the successor of such ruler shall, on and from such commencement, cease to be recognised as such Ruler or the successor of such Ruler;



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(b) on and from the commencement of the Constitution (Twenty-sixth Amendment) Act, 1971, privy purse is abolished and all rights, liabilities and obligations in respect of privy purse are extinguished and accordingly the Ruler or, as the case may be, the successor of such Ruler, referred to in clause (a) or any other person shall not be paid any sum as privy purse."

and Article 14 reproduced below:-

"14. Equality before law.—The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India."

It is analyzed from above Articles of Constitution of India that recognition, titles granted to the rulers of the Indian State no more persist and is abolished.

The counsel for the petitioner submits that the said title was filed before the trial court and as a result of the same had to be repeated/generated.

Let limited notices be issued to the Additional Solicitor General-Shri R.D Rastogi representing Central Government and learned Advocate General-Shri M.S Singhvi for the State to address upon the same issue. Whether after the insertion of Article 363-A and 26th Amendment in the Constitution of India, the said title of *Raja, Nawab, Maharaja, Rajkumar* as prefix can be filed/ addressed in the constitutional court or the learned trial court below.

Registry is directed to issue notices of the said petition as well as certified copy of this order upon the respective offices of learned ASG and learned AG so that the issue can be addressed on the next date.

List the matter on 03.02.2022.

Interim order, if any, to continue till the next date.

(SAMEER JAIN),J

FAHEEM AHMAD /19-20