

Chief Registrar v Singh (No 1)
ILSCJ03/2016; [2016] FJILSC 3 (7 June 2016)

This summary is not intended to be a substitute for the reasons of the Independent Legal Services Commission or to be used in any later consideration of the Commission's reasons

Facts

Mr Raman Singh, a legal practitioner, was charged with two counts of professional misconduct:

Count 1: Mr Singh, while acting on behalf of Mr Mani Lal, failed to take further steps or move the matter forward in the proceedings between *Mani Lal v Mike Cardigan Labasa High Court Civil Action No. 16 of 1999*. This was said to amount to unsatisfactory professional conduct contrary to section 81(1)(a) of the *Legal Practitioners Act 2009* ('LPA').

Count 2: In contravention of rules 8.1(1)(b) and (d) of the *Rules of Professional Conduct and Practice*, and therefore section 83(1)(a) of the *LPA*, Mr Singh failed to inform Mr Mani Lal in writing about important information pertaining the matter mentioned in Count 1. This included the issues raised in the matter, the steps which would need to be taken, the time before the matter would be concluded, as well as ongoing updates about the progress of the matter.

Mr Singh sought a dismissal of the two counts filed against him.

Judgment

The Commissioner deemed it important that the whole of the evidence be heard, so as to prevent any injustice being done. As such, he dismissed Mr Singh's oral application in relation to both counts and ordered the proceeding to take their normal course. Additionally, the Commissioner ordered a stay of proceedings pending the handing down of the decision in *Amrit Sen v Chief Registrar* [2014] FJILSC 5 (8 August 2014) due to its applicability to this matter.