

IN THE INDEPENDENT LEGAL SERVICES COMMISSION

AT SUVA

ILSC CASE NO. 005 OF 2025

ILSC CASE NO. 006 OF 2025

ILSC CASE NO. 011 OF 2025

BETWEEN : **THE CHIEF REGISTRAR**

APPLICANT

AND : **JADHAV PRAKASHAN**

RESPONDENT

Counsel : **Ms R Wati and Mr S Nand for the Chief Registrar**
Respondent in Person

Date of Hearing : **30 September 2025**

Date of Decision : **8 October 2025**

DECISION

Allegations

- [1] The Respondent faces multiple counts of professional misconduct, contrary to Section 82(1)(a) and Section 108(2) of the Legal Practitioners Act 2009, for repeatedly failing to respond to complaints and statutory notices issued by the Chief Registrar within the required timeframes.

Applicable Law

- [2] Section 108 of the Legal Practitioners Act 2009 provides:

- Section 108(1): Where a legal practitioner fails to comply with notice under section 105 or 106, the Chief Registrar may notify the practitioner that

continued failure for fourteen days will render the practitioner liable for professional misconduct.

- Section 108(2): If non-compliance continues for fourteen days after notification, the failure shall be deemed professional misconduct unless a reasonable explanation is furnished. Proof of service of notices constitutes prima facie evidence of misconduct.
- Section 82(1)(a): Professional misconduct means a substantial or consistent failure to maintain reasonable competence and diligence in practice.

Factual Findings

- [3] The Respondent failed to respond to multiple Notices issued by the Chief Registrar in relation to complaints lodged by SANJAY ANAND RAI, SIBHOD PRASAD, ATESH RAM, and URNESH LATA.
- [4] Evidence includes copies of complaint notices, affidavits, proof of service, follow-up emails, and officer statements confirming due service and the absence of timely responses by the Respondent.
- [5] Extensions of time were granted and acknowledged, but the Respondent failed to comply or provide any reasonable explanation within statutorily mandated periods.

Reasons

- [6] The Respondent was repeatedly notified and served statutory notices in connection with complaints against him, but did not respond as required and did not provide any reasonable explanation for the failures.
- [7] The Chief Registrar has tendered unimpeached evidence—documentary notices, emails, delivery confirmations, and sworn affidavits, demonstrating service and ongoing non-compliance.

- [8] Case law cited by the applicant (e.g., *Chief Registrar v Ligabalavu, Rabuku, Daveta, Buakarau, Seruvatu, Titoko*) underscores the seriousness with which the Commission treats breaches of Section 108(2).
- [9] The repeated failure to respond demonstrates a substantial failure to maintain competence and diligence, and exhibits blatant disregard for regulatory authority, thereby tarnishing public confidence in the profession.

Conclusion

- [11] The Commission finds the Respondent guilty of professional misconduct under Section 82(1)(a) and Section 108(2) of the Legal Practitioners Act 2009 for failure to respond to complaint notices without reasonable explanation on all four counts.
- [12] Parties are to address the Commission on Sanction by filing written mitigation and submissions by 31 October 2025.



Solicitors:

Legal Practitioners Unit for the Applicant
Respondent in Person