

2004 LSBC 30

Report issued: September 14, 2004

Oral Reasons: September 8, 2004

The Law Society of British Columbia  
In the matter of the *Legal Profession Act*, SBC 1998, c.9  
and a proceeding pursuant to s. 39 concerning

## **Raghubir Singh Basi**

Respondent

### **Decision of the Benchers**

Hearing date: September 8, 2004

Panel: Ralston S. Alexander, QC, Chair, Gavin Hume, QC, Terence La Liberte, QC

Counsel for the Law Society: Jean Whittow, QC

Appearing on his own behalf: Raghubir S. Basi

[1] This is a proceeding pursuant to Section 39 of the *Legal Profession Act* and Rule 4-17 of the Law Society Rules, with respect to a show cause proceeding to determine whether Mr. Basi should be suspended or have conditions placed on his practise pending a final disposition of a citation that was authorized by the Discipline Committee on September 2, 2004. That citation was authorized in respect of the Respondent's repeated failure to respond to the Law Society over a period of time from May of 2004 through to the present.

[2] We have heard submissions from counsel. We have heard the evidence of Mr. Dent, a Law Society staff lawyer. We have heard the evidence of the Respondent. We have considered submissions of counsel and of the Respondent. We have seen the authorities that have been provided to us. Considering all of those matters, we order as follows:

1. Firstly, that the Respondent provide a substantive response to Mr. Dent's letter of May 19, 2004, and that that substantive response be provided to the Law Society on or before close of business September 20, 2004.
2. Secondly, that the Respondent be required to provide a substantive response to any further correspondence that is provided to him by the Law Society with respect to this same matter within two weeks of his receipt of those requests unless he had been relieved of the requirement to provide that response within that time frame by the Discipline Committee of the Law Society, in its absolute discretion.

[3] There are a number of significant and serious matters before the Law Society involving the Respondent, and it is our recommendation, in the strongest possible terms, that he seek counsel in respect of all of these matters at the earliest possible date.

[4] Finally, we direct that this Panel will be seized of this matter with respect to the Respondent's failure to respond to the Law Society in this matter for so long as the substantive complaint is under investigation by

the Law Society and until the complaint has either been dismissed as not being meritorious or until some further action in respect of the complaint is taken by the Law Society by way of citation or some other action. Until that event occurs, this Panel will be seized of this matter and we will deal with any consequences that flow from the Respondent's failure to observe the terms and conditions that are described in points one and two of paragraph 2 of this order.

[5] We have not ordered a suspension in this matter. We do not preclude ourselves from an entitlement to do so in the future should circumstances justify it.