

IN THE COURT OF APPEAL OF MANITOBA

Coram: Mr. Justice Marc M. Monnin
Madam Justice Jennifer A. Pfuetzner
Madam Justice Anne M. E. Turner

BETWEEN:

	)	V. R. Jhanji
	)	<i>on his own behalf</i>
)	
	)	D. E. Swayze, K.C. and
	)	K. V. Murkin
	)	<i>for the Respondents</i>
VIBHU RAJ JHANJI	)	<i>the Law Society of Manitoba,</i>
	)	<i>R. Kravetsky, L. Kosokowsky,</i>
<i>(Plaintiff) Appellant</i>	)	<i>C. K. Dangerfield,</i>
	)	<i>S. Billinkoff, L. French,</i>
<i>- and -</i>	)	<i>A. Southall and L. Troup</i>
)	
THE LAW SOCIETY OF MANITOBA	)	D. A. Johnston
(LSM), THE ATTORNEY GENERAL OF	)	<i>for the Respondent</i>
MANITOBA, THE ATTORNEY GENERAL	)	<i>the Attorney General of</i>
OF CANADA, ROCKY KRAVETSKY,	)	<i>Manitoba</i>
LEAH KOSOKOWSKY, C. KRISTEN)	
DANGERFIELD, SUSAN BILLINKOFF,	)	C. D. Williams
LEONARD FRENCH, ANITA SOUTHALL	)	<i>for the Respondent</i>
and LYNDA TROUP	)	<i>the Attorney General of</i>
	)	<i>Canada</i>
<i>(Defendants) Respondents</i>)	
	)	<i>Appeal heard and</i>
	)	<i>Decision pronounced:</i>
	)	January 28, 2025
)	
	)	<i>Written reasons:</i>
	)	February 7, 2025

On appeal from *Jhanji v Law Society of Manitoba*, 2024 MBCA 64 [*Jhanji 2024*]

MONNIN JA (for the Court):

[1] The plaintiff (Mr. Jhanji) appealed the decision of a judge of the Court of King’s Bench (the KB judge), whereby she struck a statement of claim without leave to amend on the basis that it was frivolous, vexatious, an abuse of process and failed to disclose a reasonable cause of action (the main appeal).

[2] After filing a notice of appeal in this Court in respect of the main appeal, Mr. Jhanji brought a motion that a judge of this Court described as a “mid-appeal disclosure” of documents (*Jhanji 2024* at para 8). On that motion, Mr. Jhanji also requested recusal of counsel for one or more of the parties, asked the motion judge to set aside judgments rendered in this Court’s previous decisions that upheld both the interim suspension and the three-year suspension, asked the motion judge to exercise the powers of the Law Society of Manitoba (the LSM) and, finally, to recuse herself. She refused to provide any of that relief, which is the source of the second appeal (the second appeal).

[3] Factums were filed by Mr. Jhanji and the defendants on both appeals. Mr. Jhanji’s material was, for the most part, incomprehensible and failed to particularize either the grounds of appeal or the basis upon which he was challenging the decisions. The defendants, in their material, either repeated that fact or tried to address the issues that might have been of concern to Mr. Jhanji.

[4] At the outset of the hearing, the panel requested that Mr. Jhanji provide us with a brief summary of the basis upon which he was arguing that

the KB judge erred in reaching her decision. We confirmed that, as we are a Court of error, there had to be some arguable ground upon which we could intervene in setting aside her decision.

[5] After listening to Mr. Jhanji's half-hour oration, we were not any further ahead. As he did before the KB judge, Mr. Jhanji is essentially complaining about this Court's decision in *Jhanji v Law Society of Manitoba*, 2022 MBCA 78, where a panel of this Court upheld the LSM's decision to suspend Mr. Jhanji.

[6] At the hearing, we dismissed both appeals with costs with brief reasons to follow. These are those reasons.

[7] The statement of claim filed in the Court of King's Bench ostensibly seeks to challenge the ability of the LSM to utilize the provisions of *The Legal Profession Act*, CCSM c L107 [the *Act*], to suspend Mr. Jhanji and complains of the role played by various members of this Court in dealing with the orders of interim suspension and suspension made against him by the LSM. He does so, claiming a breach of the *Canadian Charter of Rights and Freedoms*, particularly section 7. However, the statement of claim fails to articulate in any comprehensible manner the basis on which that provision is engaged to challenge the provisions of the *Act*. As to the role played by this Court or its individual members in dealing with the appeals brought by Mr. Jhanji, he makes vague and unsubstantiated allegations of bias or illegality.

[8] Suffice to say, for the purpose of dealing with the main appeal, given the deference owed to a discretionary order made by a KB judge in striking out the statement of claim, we see no error arising from her decision to do so. Nor do we disagree with her conclusion that Mr. Jhanji was, in essence,

seeking to review the final decision of this Court refusing to set aside his suspension, a decision which, as explained to him, is *res judicata* and not subject to further challenge, thereby being an abuse of process. There is no evidence provided or legal principles raised in Mr. Jhanji's statement of claim which establish a cause of action, let alone a reasonable one.

[9] Accordingly, we dismissed the main appeal.

[10] Given that the main appeal was dismissed, the second appeal is moot. Moreover, there were no arguable grounds raised in respect of the second appeal and it was also dismissed.

[11] Costs will be in favour of the defendants based on the tariff. The defendants are entitled to factum fees on each appeal but only one fee for their appearance.

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