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Court File No.

FEDERAL COURT

BETWEEN:

College of Immigration and Citizenship Consultants

Applicant

and

Parvinder Singh Sandhu

Respondent

APPLICATION UNDER SECTION 40 OF THE *FEDERAL COURTS ACT*, RSC 1985, C. F-7

NOTICE OF APPLICATION

TO THE RESPONDENT:

A PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the applicant. The relief claimed by the applicant appears below.

THIS APPLICATION will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court orders otherwise, the place of hearing will be as requested by the applicant. The applicant requests that this application be heard at Toronto, Ontario.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or a solicitor acting for you must file a notice of appearance in Form 305 prescribed by the [Federal Courts Rules](#) and serve it on the applicant's solicitor or, if the applicant is self-represented, on the applicant, WITHIN 10 DAYS after being served with this notice of application.

Copies of the [Federal Courts Rules](#), information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO OPPOSE THIS APPLICATION, JUDGMENT MAY BE GIVEN IN

YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

Date: _____

Issued by: _____
(Registry Officer)

Address of local office: 180 Queen Street West
Suite 200
Toronto ON M5V 3L6
File No. T-2162-23

TO:

Parvinder Singh Sandhu
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Respondent

APPLICATION

This is an application for an order under section 40 of the *Federal Courts Act*, RSC 1985, c F-7, prohibiting the respondent, Parvinder Singh Sandhu, from instituting further proceedings, or from continuing proceedings previously instituted by him, in this Court except with leave.

The applicant makes an application for:

1. An order pursuant to section 40 of *Federal Courts Act*, RSC 1985, c F-7 declaring the respondent Parvinder Singh Sandhu to be a vexatious litigant;
2. An order pursuant to section 40 of *Federal Courts Act*, RSC 1985, c F-7 prohibiting the respondent Parvinder Singh Sandhu from instituting or continuing litigation in this Court, whether acting for himself or having his interests represented by another individual, without leave of this Court;
3. An order quashing the action filed under Court File No. 1428-24 (or in the alternative, an order discontinuing this action);
4. An order pursuant to section 40 of *Federal Courts Act*, RSC 1985, c F-7 prohibiting the respondent Parvinder Singh Sandhu from filing any document or procedure, either in his own name or through a representative, except by leave of this Court.
5. Costs of this application on a solicitor-client basis;
6. Such further or other relief as counsel may advise and this Honourable Court may permit.

The grounds for the application are:

The parties

1. The applicant, the College of Immigration and Citizenship Consultants (“College”), is

the regulatory body that oversees licensed immigration consultants.

2. The respondent, Parvinder Singh Sandhu (“**Mr. Sandhu**”), was a regulated immigration consultant, whose license was revoked following disciplinary proceedings against him and his brother and business partner, Devinder Sandhu, by his regulator, the College, before its Discipline Committee.

Duplicative and Meritless Litigation Strategy Initiated by the Respondent

3. Since December 2022 and to date, in effort to thwart his disciplinary proceedings, the respondent has filed numerous duplicative and meritless proceedings before the College’s Discipline Committee and before this Court, all alleging that signatures of College witnesses, staff, and/or tribunal members are not genuine or forged, scandalous and baseless allegations.

Vexatious Litigation Strategy Before the College’s Discipline Committee

4. In Mr. Sandhu’s disciplinary proceedings before the Discipline Committee, the parties filed witness evidence forms, written statements attested to by the parties’ witnesses, in support of their positions.
5. In December 2022, the respondent filed a motion with the Discipline Committee to exclude some of the witness evidence forms filed by the College. The basis of the respondent’s motion was a claim that the signatures of the College’s witnesses and staff

on witness evidence forms were not genuine.

6. On February 1, 2023, a panel of the Discipline Committee dismissed the motion brought by the respondent to exclude evidence.
7. After this decision on his motion to exclude evidence, the respondent filed two further unsuccessful motions before the Discipline Committee, seeking to relitigate the issue of the alleged inauthenticity of the signatures of College witnesses and staff.
8. On November 24, 2023, the Discipline Committee released a decision finding Devinder Sandhu and Parvinder Sandhu (the “**Sandhus**”) liable for professional misconduct.
9. On April 10, 2024, the Discipline Committee released a decision as to penalty, ordering revocation of the Sandhu’s licenses, notification of their clients of their revocation, posting of a notice on their websites of their revocation, provision of a statutory declaration confirming appropriate notice was provided, payment of refunds, fines, and costs.
10. To date, the respondent has not complied with the April 10, 2024 penalty decision, by failing to fulfill the notice and statutory declaration provisions.

Judicial Review filed in this Court under Court File No. T-455-23 found to be Abuse of Process

11. In March 2023, Mr. Sandhu filed, under Court File No. T-455-23, an application for judicial review with this Court of the Discipline Committee’s order of February 1, 2023,

again alleging that the signatures of College witnesses and staff were not genuine.

12. On June 14, 2023, this Court dismissed the respondent's application for judicial review as premature and an abuse of process, given the then ongoing disciplinary proceedings.

Action under Court File No T-2162-23 Attempted to Relitigate the Failed Judicial Review

13. On October 13, 2023, while his disciplinary proceedings were still ongoing, the respondent filed a statement of claim under Court File No. T-2162-23. In this claim, the respondent sought to "dismiss" his disciplinary proceedings before the College's Discipline Committee, launch an "investigation" into the College, and to "hold accountable" those individuals responsible for the "forgery" of signatures and "tampering" of evidence".

14. The respondent's basis for this claim was the same ground as his judicial review under Court File. No. 455-23, the bald allegation of inauthentic signatures of College witnesses and staff.

Respondent filed two Duplicative Motions under Court File No T-2162-23

15. Weeks after filing this claim, on November 1, 2023, the respondent filed a motion with the Federal Court, asking this Court to order an "investigation" into the alleged forgery of signatures carried out by the College, using scandalous language such as "shocking", "duplicitous", and "devious".

16. On November 14, 2023, the College filed a motion to strike the respondent's claim under Rule 221 as outside of this Court's jurisdiction, scandalous, frivolous or vexatious, and/or an abuse of process.
17. Before this Court had the opportunity to adjudicate Mr. Sandhu's motion for an "investigation" or the College's motion to strike and without any direction from this Court to do so, the respondent filed another motion for production of "original" signatures of College witnesses. The basis for this motion was again the alleged "forgery" on "such an astronomical magnitude" of signatures on behalf of the College.
18. The respondent's motions were not only an abuse of process and vexatious; they exposed that the respondent did not have the evidence to support his allegations of forgery.

Respondent filed Repeated, Duplicative Letters with this Court, Restating Allegations of Forgery

19. Without any direction from this Court to do so, from November to January 2024, Mr. Sandhu has also filed repeated letters with this Court. These letters are dated November 23, 2023, November 27, 2023, November 29, 2023, November 30, 2023, December 2, 2023, December 5, 2023, December 6, 2023, December 11, 2023, and January 9, 2024.
20. The majority of these letters restated and expanded upon the respondent's scandalous and bald allegations of forgery against the College.

21. In his letter of November 29, 2023, Mr. Sandhu falsely alleged that the reply submissions of the College on its motion to strike were filed late and should be deemed inadmissible.

22. Mr. Sandhu's letters did not comply with the *Federal Court Rules*.

Respondent's Action was Assigned to Case Management and his Requests under Court File No T-2162-23 Held in Abeyance

23. In response to a request from the College, on December 15, 2023, the Federal Court issued an order directing that the Respondent's action under Court File No T-2162-23 continue as a specially managed proceeding and a case management judge be appointed. This Court further ordered that Mr. Sandhu's motions and requests be held in abeyance pending the determination of the College's motion to strike his action and the application herein under section 40 of the *Federal Courts Act*.

Respondent Filed a Notice of Discontinuance of the action under Court File No. T-2162-23

24. In late April 2024, Mr. Sandhu retained counsel, Sadaf Kashfi. On May 2, 2024, before the Court had the opportunity to adjudicate the College's motion to strike the proceeding, Ms. Kashfi filed a notice of discontinuance of the action under Court File No. T-2162-23.

Respondent files a Second Judicial Review Application under Court File No. T-2749-23,

Relitigating his Allegations of Forgery

25. On December 28, 2023, the Respondent served the College with an application for judicial review, issued December 27, 2023, under Court File No. T-2749-23.
26. The judicial review application under Court File No. T-2749-23 sought to review the decisions of the Discipline Committee from November 24, 2023 on the basis of allegations of “tampering with evidence,” “making fraudulent documents,” and “forgery of documents [and] of signatures.”
27. This judicial review application sought nearly identical relief to the action under Court File No T-2162-23, including a stay of the Respondent’s disciplinary proceedings before the Discipline Committee, a “thorough investigation” of the College’s practices and processes, and the production of original signatures of College staff and witnesses.
28. On January 5, 2024, the Respondent served the College with a Notice of Motion under Court File No. T-2749-23 for an urgent injunction “preventing the [College’s Discipline] Committee from passing an order on Penalty [...] until the decision is rendered in this Judicial Review Matter.”
29. The alleged basis for the Respondent’s motion for an injunction was that the “prosecution wing” of the College had taken over the “independent adjudicative wing” and was “placing forged signatures of the Discipline Committee Panel Members on the orders by pasting the forged signatures digitally.” The Respondent reiterated his

allegations of “serious criminal violations being done by the [College...] involving fraudulency, forgery, deceit and deception in criminally duplicitous functionality and operations of CICC at a magnitude of astonishing extremity [...]”

30. On January 17, 2024, the Federal Court ordered that the judicial review application under Court File No. T-2749-23 be assigned to special case management.

31. On February 21, 2024, the College filed a motion to strike the judicial review application under Court File No. T-2749-23.

32. On February 22, 2024, the Honourable Madam Justice Pallotta of the Federal Court dismissed Mr. Sandhu’s motion for an “urgent injunction.”

Respondent Files a Notice of Discontinuance of Court File No. T-2749-23

33. On May 2, 2024, before the Court had the opportunity to adjudicate the College’s motion to strike the proceeding, Ms. Kashfi filed a notice of discontinuance of Court File No. T-2749-23 on behalf of the Respondent.

New Judicial Review Application Filed under Court File No. 983-24

34. On April 30, 2024, the Sandhus filed a Notice of Application for Judicial Review with respect to the procedural, liability and penalty decisions made by the College’s Discipline Committee.

Stay Motion Dismissed

35. On May 1, 2024, the Sandhus filed a motion to stay the penalty decision of the College's Discipline Committee, pending judicial review. The stay motion was heard on May 7, 2024 and dismissed on May 9, 2024 by the Honourable Mr. Justice Gleeson.

Ms. Kashfi's Motion to Withdraw as Counsel for the Respondent

36. On June 12, 2024, Ms. Kashfi filed a motion to withdraw as counsel of record for Parvinder Sandhu from Court File No. T-983-24.

New Duplicative Action Filed by Mr. Sandhu under Court File No. T-1428-24

37. On June 12, 2024, the Respondent filed a new action against the College and its Discipline Committee, under Court File No. T-1428-24, seeking to relitigate his claims of forgery from previous proceedings that were dismissed or discontinued.

38. This action is outside the jurisdiction of the Court, scandalous, frivolous, and vexatious, and an abuse of process.

39. As part of its plenary powers, the Court may quash proceedings at any time that are doomed to fail owing to a fatal flaw or the absence of merit.

40. The Court also has the power to discontinue proceedings under s. 40.

Consent of the Attorney General

41. As required by subsection 40(2) of the *Federal Courts Act*, this Application is supported by the written consent of the Attorney General's delegate.

Statutes

42. *Federal Courts Act*, RSC 1985, c F-7 and particularly section 40.
43. *Federal Courts Rules*, SOR/98-106, and particularly Rules 62, 301, 304, and 400.
44. *College of Immigration and Citizenship Consultants Act*, SC 2019, c 29, s 292.
45. Such further or other grounds as counsel may advise and this Honourable Court may permit.

This application will be supported by the following material:

1. Materials filed in the application bearing Federal Court File No. T-455-23;
2. Materials filed in the action bearing Federal Court File T-2162-23;
3. Materials filed in the application bearing Federal Court File No. T-2749-23;
4. Materials filed in the application bearing Federal Court File No. T-983-24;
5. Materials filed in the action being Federal Court File No. T-1428-24;
6. Affidavit of Timothy Snell, affirmed December 20, 2023;
7. Second Affidavit of Timothy Snell, affirmed July 16, 2024;
8. Affidavit of Amanda Fernandez, affirmed December 20, 2023;
9. Second Affidavit of Amanda Fernandez, affirmed February 14, 2024;

10. Third Affidavit of Amanda Fernandez, affirmed July 17, 2024;
11. The written consent of the delegate of the Attorney General of Canada; and
12. Such further or other evidence as counsel may advise and this Honourable Court may permit.

DATED at Toronto, Ontario, this 18th day of July, 2024



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Lawyer for the Applicant

Court File No.

FEDERAL COURT

College of Immigration and Citizenship Consultants
(Applicant)

and

Parvinder Singh Sandhu
(Respondent)

NOTICE OF APPLICATION

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