

**IN THE INDEPENDENT LEGAL SERVICE COMMISSION**

**AT SUVA**

**ILSC CASE NO. 002 OF 2022**

**BETWEEN** : **CHIEF REGISTRAR**

**APPLICANT**

**AND** : **NATASHA KHAN**

**RESPONDENT**

**Counsel** : **Mr A Chand and Ms L Malani for the Applicant**  
**Mr S Ram for the Respondent**

**Date of Hearing** : 7 & 8 August 2023

**Date of Decision** : 15 September 2025

**Date of Sanction** : 5 November 2025

**SANCTION**

[1] Natasha Khan has been found guilty of professional misconduct and unsatisfactory professional conduct for persistent non-compliance with court orders and failure to properly inform her client, Jay Dayal of significant case developments, which prejudiced her client's ability to defend in civil litigation and resulted in financial disadvantage. The Commission must, under Section 121 of the Legal Practitioners Act 2009, impose a sanction that adequately protects the public, maintains public confidence in the legal profession, and ensures deterrence of future breaches, while reflecting the practitioner's personal mitigation and the exceptional delay in proceedings.

### **Balancing Aggravation, Mitigation, and Delay**

- [2] The Chief Registrar's submissions rightly emphasize the gravity of the misconduct, breach of fiduciary duty, and the need for a clear message of deterrence. Aggravating factors include repeated failures over months, lack of written updates, and the substantial consequences suffered by the client.
- [3] However, Ms Khan's mitigation submissions rightly highlight the narrow and technical nature of the breach, the absence of dishonesty or deliberate wrongdoing, the lack of direct proven financial loss, a substantial intervening delay of over 14 years in the investigation and conclusion of the disciplinary proceedings, an otherwise unblemished 26-year career, and the considerable prejudice to her and her clients that would result from any severe sanction. The delay, in line with the Supreme Court decision in *Ram v State* [2024] FJSC 51; CAV0034.2023 (30 October 2024), requires that the sentence be appropriately reduced unless trial fairness is compromised (which is not the case here).

### **Proportionality and Precedent.**

- [4] Comparable cases such as *CR v Qetaki* [2017] FJILSC 9, *CR v Mishra* [2011] FJILSC 9, *CR v Prasad* [2012] FJILSC 6, *CR v Singh* [2013] FJILSC 18 and *CR v Nagin* [2010] FJILSC 16 demonstrate that the Commission has imposed reprimands, fines, and mandatory education in cases of low culpability, technical breach, or where delay is significant and no dishonesty is found.

### **Orders under Section 121**

- [5] In consideration of the above, the following orders are made:
- i. **Public Reprimand:** Ms. Khan is formally reprimanded for her conduct, to be published as a disciplinary outcome.

- ii. **Fine:** Ms. Khan shall pay a fine of \$5,000 to the Commission within 21 days.
- iii. **Costs:** Ms. Khan shall pay costs of \$2,000 to the Chief Registrar for these proceedings within 21 days.
- iv. **No Suspension or Strike-off:** In light of substantial mitigation and delay, Ms Khan's name shall not be entered in the discipline register for suspension or striking-off, nor shall her practising certificate be suspended.
- v. **No Compensation Order:** No compensation is ordered due to the remoteness of harm and the presence of intervening causes not directly attributable to Ms. Khan.



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**Justice Daniel Goundar**  
**COMMISSIONER**

**Solicitors:**

Legal Practitioners Unit for the Chief Registrar

Samuel Ram Lawyers for the Respondent