

DATE: 20040709
DOCKET: C36730

COURT OF APPEAL FOR ONTARIO

**RE: GURMEET SINGH GREWAL, KULDIP SINGH GREWAL,
JASBIR SINGH SARNI, NARINDER SINGH SEKHON,
JASBIR SINGH, MANOHAR SINGH, MUKHWINDER SINGH
AND TAJINDER PAL SINGH KALOE (Plaintiffs/Appellants) v.
KEHAR SINGH GILL, DAVINDER SINGH CHHOKAR,
SARWAN SINGH GILL, RANJIT SINGH, BALDEV SINGH
BRAR AND SRI GURU NANK SIKH CENTRE
(Defendants/Respondents)**

BEFORE: McMURTRY C.J.O., BORINS AND FELDMAN J.J.A.

**COUNSEL: Morris A. Singer
for the appellants**

**Axy Leighl
for the respondents**

**HEARD &
ENDORSED: JULY 9, 2004**

On appeal from the judgment of Justice Snowie dated June 28, 2001.

A P P E A L B O O K E N D O R S E M E N T

[1] There are very serious allegations in the proposed fresh evidence with respect to the conduct of the respondents' trial counsel who also appears on their behalf today without having filed a factum or any other responding material.

[2] Counsel appearing for the respondents concedes his inexperience and serious lack of judgment in failing to challenge the fresh evidence which he would now like to do and therefore seeks an adjournment.

[3] Given the very serious nature of this matter, we are allowing an adjournment.

[4] Counsel are to contact Borins J.A. before July 23, 2004 to arrange a management conference.

[5] The appellants are entitled to costs thrown away in the amount of \$2,500.00 to be paid within 30 days.