

Docket: 2007-4184(EI)

BETWEEN:

RAJWINDER K. BAWJA,

Appellant,

and

THE MINISTER OF NATIONAL REVENUE,

Respondent.

Conference call held on October 17, 2008 at
Vancouver, British Columbia

Before: The Honourable Justice D.W. Beaubier

Counsel for the Appellant: James Sayre and Sarah Khan
Counsel for the Respondent: Selena Sit and Max Matas

ORDER

WHEREAS BY Notice of Motion dated the 10th day of September, 2008, counsel for the Respondent requested an Order under section 110 of the *Tax Court of Canada Rules (General Procedure)* requiring the Appellant to provide the Respondent with copies of her Medical Records (“MSP Records”) for the period April 1, 2001 to September 30, 2001 inclusive;

AND having heard counsel for the parties during a conference call held on Friday, October 17, 2008;

NOW THEREFORE the Court orders that on or before December 1, 2008 the Appellant provide the Respondent with copies of the MSP Records for the period April 20, 2001 to September 29, 2001 inclusive.

Signed at Saskatoon, Saskatchewan this 17th day of October 2008.

“D.W. Beaubier”

Beaubier D.J.

Citation: 2008 TCC 551
Date: 20081017
Docket: 2007-4184(EI)

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RAJWINDER K. BAWJA,

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and

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REASONS FOR ORDER

Beaubier D.J.

[1] Counsel for the Respondent maintained that the Medical Service Records (“MSP Records”) are relevant. Counsel for the Respondent referred to the decision of Bowman, C.J. where he said that the test is relevance.

[2] Counsel for the Appellant maintained that the MSP Records were personal and she said that the Respondent was on a fishing expedition.

[3] The MSP Records for the period in question, namely April 20, 2001 to September 29, 2001 inclusive, are relevant and shall be produced by the Appellant on or before December 1, 2008.

Signed at Saskatoon, Saskatchewan, this 17th day of October 2008.

“D.W. Beaubier”

Beaubier D.J.

CITATION: 2008 TCC 551

COURT FILE NO.: 2007-4184(EI)

STYLE OF CAUSE: Rajwinder K. Bawja and
The Minister of National Revenue

PLACE OF HEARING: Vancouver, British Columbia

DATE OF HEARING: October 17, 2008

REASONS FOR ORDER BY: The Honourable Justice D.W. Beaubier

DATE OF ORDER: October 17, 2008

APPEARANCES:

Counsel for the Appellant: James Sayre and Sarah Khan
Counsel for the Respondent: Selena Sit, and Max Matas

COUNSEL OF RECORD:

For the Appellant:

Name: James Sayre

Firm: Community Legal Assistance Society,
Vancouver, British Columbia

Name: Sarah Khan

Firm: The British Columbia Public Interest
Advocacy Centre,
Vancouver, British Columbia

For the Respondent:

John H. Sims, Q.C.
Deputy Attorney General of Canada
Ottawa, Canada