COURT OF APPEAL FOR BRITISH COLUMBIA

Citation: *Gill v Encorp Pacific,*
2026 BCCA 460

Date: 20261119
Docket: CA51093

Between:

Harjit Singh Gill

Appellant
(Plaintiff)

And

Encorp Pacific, Grand Lodge of BC and Yukon (Freemason), Hain Celestial Canada, Hain Celestial Group, Ledcor Industries Inc. and Taylor Swift

Respondents
(Defendants)

Before: The Honourable Chief Justice Marchand
The Honourable Justice Griffin
The Honourable Justice Horsman

On appeal from: An order of the Supreme Court of British Columbia, dated October 2, 2025 (*Gill v Hain Celestial Canada*, Vancouver Docket S246625).

The Appellant, appearing in person:	H.S. Gill
Counsel for the Respondent Encorp Pacific:	L.A. Whittaker
Counsel for the Respondent Ledcor Industries Inc.:	H. Sayed
Place and Date of Hearing:	Vancouver, British Columbia November 12, 2026
Place and Date of Judgment with Written Reasons to Follow:	Vancouver, British Columbia November 12, 2026
Place and Date of Written Reasons:	Vancouver, British Columbia November 19, 2026

Written Reasons of the Court

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Summary:

The appellant appeals from an order denying him leave to file an amended notice of civil claim. He alleges several errors on the part of the chambers judge, including that the judge (a) focused on formal, rather than substantive, deficiencies in the proposed amended notice of civil claim and (b) misdirected herself on the relevant considerations on the application. He also advances one written and one oral application for leave to adduce fresh evidence in support of his appeal.

Held: The appellant's appeal and applications to adduce fresh evidence are dismissed. The appellant has not identified a reversible error in the chambers judge's reasons for denying him leave to file an amended notice of civil claim. The appellant's proposed fresh evidence is not new, relevant, credible, or material.

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Reasons for Judgment of the Court:

Introduction

[1] The appellant, Harjit Singh Gill, appeals from an order denying him leave to file an amended notice of civil claim. He also advances one written and one oral application for leave to adduce fresh evidence in support of his appeal.

[2] At the conclusion of the oral hearing, the Court dismissed Mr. Gill's appeal and applications with reasons to follow. These are those reasons.

Background

[3] Mr. Gill alleges he is a victim of human trafficking. In September 2024, he filed a notice of civil claim ("NOCC") seeking various forms of relief against the respondents: Hain Celestial Canada, Hain Celestial Group, Encorp Pacific ("Encorp"), Ledcor Industries Inc., Grand Lodge of BC and Yukon, and Taylor Swift.

[4] In his NOCC, Mr. Gill accused the respondents of, among other things, kidnapping, torture and attempted murder. He claimed the respondents planned and orchestrated an international human trafficking scheme. He relied on labour and employment law; admiralty and maritime law; the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982*, 1982, c 11 (UK); the *Criminal Code*, RSC 1985,

c C-46; the *Federal Courts Act,* RSC 1985, c F-7 [*Federal Courts Act*]; and the *Federal Courts Rules,* SOR/98-106, among others.

[5] Mr. Gill has previously filed similar claims, albeit against different unrelated entities: see 2012 BCSC 1640, 2012 BCCA 523 and 2013 BCSC 1703. These claims were struck.

[6] In December 2024, the respondents (excluding Ms. Swift) filed applications to strike the NOCC under Rule 9-5(1) of the *Supreme Court Civil Rules*, BC Reg 168/2009 [SCCR]. The chambers judge heard these strike applications together in May 2025.

[7] On July 22, 2025, the chambers judge struck Mr. Gill's notice of civil claim in its entirety because it: (a) disclosed no reasonable claim; (b) was unnecessary, scandalous, frivolous, and vexatious; (c) was an embarrassing pleading that would prejudice a fair trial; and (d) was otherwise an abuse of court process: 2025 BCSC 1395 at para 64 [Strike Decision].

[8] However, the chambers judge found Mr. Gill may have a legitimate claim in constructive dismissal against Encorp, his former employer: Strike Decision at para 31. Therefore, the chambers judge granted Mr. Gill leave to amend the NOCC on the following terms (Strike Decision at paras 64, 66):

1. The amended NOCC must remove all parties except Encorp as defendants and must not plead any claims against the removed parties.

2. The only claim that may be pleaded in the amended NOCC is constructive dismissal as against Encorp.

3. The amended NOCC must plead only those material facts necessary to support the constructive dismissal claim against Encorp and must not plead allegations of fact or law irrelevant to that claim.

4. The amended NOCC must comply with the SCCR, including specifically Rules 3-1(2) and 3-7.

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[9] The chambers judge also ordered Mr. Gill not file an amended NOCC without further leave of court. In her view, there was "substantial risk" he would continue to advance human trafficking claims against Encorp: Strike Decision at paras 9, 66.

[10] On September 12, 2025, Mr. Gill applied for leave to file an amended NOCC. The proposed amended NOCC is an admiralty proceeding against Encorp as a ship, Encorp's directors, and unknown defendants Jane Doe and John Doe. It pleads and relies on the *Criminal Code*; the *Canada Marine Act,* SC 1998, c 10; and the *Federal Courts Act*, among others. It reiterates allegations of torture, attempted murder, and human trafficking.

[11] In unpublished reasons for judgment ("Leave Decision"), the chambers judge held Mr. Gill's proposed amended NOCC did not comply with the terms of the strike order in that it:

1. includes claims against Ms. Swift (Leave Decision at para 5);
2. pleads claims other than constructive dismissal as against Encorp (Leave Decision at para 6);
3. does not plead only those material facts necessary to support the constructive dismissal claim (Leave Decision at para 7); and
4. does not comply with Rules 3-1(2) and 3-7 (Leave Decision at para 8).

[12] Ultimately, the chambers judge refused to grant leave to Mr. Gill to file the proposed amended NOCC: Leave Decision at para 14.

[13] Although not germane to this appeal, I note Mr. Gill has also attempted to appeal the Strike Decision. Some details follow.

[14] On August 18, 2025, Mr. Justice Riley determined Mr. Gill required leave to appeal part of the Strike Decision and denied Mr. Gill leave to do so.

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[15] On August 25, 2025, Mr. Gill applied to vary Riley J.A.'s order. In response, the respondents sought and obtained an order for security for costs. On November 4, 2025, Madam Justice Fisher ordered that Mr. Gill post security for costs of $15,000 by February 27, 2026, and that his appeal from the Strike Decision be stayed until that security had been provided to the Court. In Fisher J.A.'s view, Mr. Gill's appeal from the Strike Decision was meritless and bound to fail.

[16] On February 24, 2026, Mr. Justice Abrioux dismissed Mr. Gill's subsequent application for an extension of time to post security and for an extension of time to file fresh evidence on appeal. Mr. Justice Abrioux also concluded Mr. Gill's appeal from the Strike Decision was meritless.

[17] On July 29, 2026, Mr. Gill's appeal from the Strike Decision was placed on the inactive list under Rule 51(1) of the *Court of Appeal Rules,* BC Reg 120/2022. Mr. Gill's appeal from the Strike Decision can only be reactivated by consent or court order failing which it will be dismissed as abandoned after 180 days on January 26, 2027.

On Appeal

[18] On appeal, Mr. Gill alleges several errors on the part of the chambers judge, including accusations of criminal conduct and discrimination. Mr. Gill also cites breaches of his *Charter* rights, a lack of judicial independence, and abuse of process.

[19] Taking the most generous approach we can to Mr. Gill's materials, we take him to allege the chambers judge erred by:

1. dismissing his leave application on the basis of formal, rather than substantive, deficiencies in the proposed amended NOCC; and

2. misdirecting herself on the relevant considerations on an application for leave to amend a NOCC.

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Analysis

[20] The only matters before this division of the Court are Mr. Gill's appeal from the Leave Decision and his applications to adduce fresh evidence. We will tackle his appeal first.

[21] Mr. Gill has not identified a reversible error in the chambers judge's handling of his application for leave to file an amended NOCC. As the chambers judge noted, the amended NOCC very obviously does not comply with her previous order placing limits on his ability to file an amended NOCC. Rather than focus exclusively on a potential constructive dismissal claim against Encorp and comply with the SCCR regarding pleadings, it repeats many of the unintelligible, incoherent, flawed, unnecessary, scandalous, frivolous and vexatious pleadings identified by the chambers judge in the Strike Decision.

[22] Likewise, Mr. Gill's applications to adduce fresh evidence are fatally flawed. They focus on the merits of his human trafficking claims as well as on what we would characterize as unintelligible pseudo-legal and pseudo-religious claims. The proposed fresh evidence does not meet any of the criteria set out in *Palmer v The Queen* 1979 CanLII 8, [1980] 1 SCR 759 (SCC). The proposed fresh evidence is not new, relevant, credible or material.

Conclusion and Disposition

[23] Mr. Gill's appeal and applications to adduce fresh evidence are meritless. They are all dismissed.

"The Honourable Chief Justice Marchand"

"The Honourable Justice Griffin"

"The Honourable Justice Horsman"

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