



Date: 19991213

Docket: IMM-5835-99

BETWEEN:

SIVANESAN VIGNESWARAN

Moving Party

- and -

MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

REASONS FOR ORDER

(Delivered at the telephone hearing held at
Ottawa, Ontario on Friday, December 3, 1999)

PELLETIER J.

[1] I do not have the necessary evidence before me to be able to make a ruling on this motion for a stay.

[2] In my view, the issue of the moving party's refugee status is very important. Although I have indirect evidence, I would like direct evidence for it. The same applies to the respondent's file. Counsel Van Der Meerschen has in fact given evidence with

reference to the facts because she did not have time to establish them formally. I am not saying this to criticize Counsel Van Der Meerschen, but simply to point out that the time allotted to deal with this case does not allow us to do it justice.

[3] I therefore propose to adjourn the hearing of the motion to stay until December 9, 1999, at Montréal at 2:30 p.m.

[4] The parties are authorized to file supplementary affidavits and memoranda provided that they are filed before 2:30 p.m. on December 8, 1999.

J.D. Denis Pelletier
Judge

Certified true translation

Peter Douglas

FEDERAL COURT OF CANADA
TRIAL DIVISION

NAMES OF COUNSEL AND SOLICITORS OF RECORD

COURT NO.: IMM-5835-99

STYLE OF CAUSE: SIVANESAN VIGNESWARAN

REASONS DELIVERED FROM THE BENCH HELD AT OTTAWA ON
DECEMBER 3, 1999.

REASONS FOR ORDER OF PELLETIER J.

DATED 13-DEC-1999

APPEARANCES:

PIA ZAMBELLI

FOR THE MOVING PARTY

ANNIE VAN DER MEERSCHEN

FOR THE RESPONDENT

SOLICITORS OF RECORD:

PIA ZAMBELLI

FOR THE APPLICANT

Morris Rosenberg
Deputy Attorney-General of Canada

FOR THE RESPONDENT