

Federal Court



Cour fédérale

Date: 20250121

Docket: IMM-2609-24

Citation: 2025 FC 115

Toronto, Ontario, January 21, 2025

PRESENT: The Honourable Justice Battista

BETWEEN:

KARANVIR SINGH GILL

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS

**(Delivered orally from the bench on January 20, 2025.
Edited for syntax, grammar, and citations.)**

[1] The Applicant was excluded from membership in the Spouse or Common-Law Partner in Canada class pursuant to paragraph 125(1)(d) of the *Immigration and Refugee Protection Regulations*, SOR/2002-227, because his sponsor had not declared him as her common-law partner when she applied for permanent residence on January 14, 2022.

[2] On December 8, 2023, the Applicant was sent a procedural fairness letter describing the concern that led to the refusal of his application. This concern arose from the relationship timeline

previously provided by the Applicant. The timeline described his cohabitation with his sponsor since 2020, including their strengthening emotional bonds, shared expenses, travel, and public acknowledgement of the relationship.

[3] In his response to the procedural fairness letter, the Applicant asked for forgiveness on the basis that he and his spouse were unaware that their relationship legally qualified as a common law relationship since 2021. The Applicant stated that if he knew he was the common-law partner of his sponsor, he would have been included in her permanent residence application.

[4] The Officer treated the Applicant's response, and the description of his relationship on the relationship timeline, as an admission of his common-law relationship.

[5] The Applicant challenges the Officer's decision on the basis that his description of his relationship was not sufficient for the Officer's conclusion. I disagree. The Applicant's detailed description of his relationship since 2020, including financial interdependence such as e-transfers of funds and joint coverage of household expenses, was sufficient for the Officer's conclusion.

[6] The Officer's decision is reasonable (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65) and the application for judicial review is dismissed.

JUDGMENT in IMM-2609-24

THIS COURT’S JUDGMENT is that:

1. The application for judicial review is dismissed.
2. There is no order regarding costs and no question for certification.

“Michael Battista”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-2609-24

STYLE OF CAUSE: KARANVIR SINGH GILL v THE MINISTER
OF CITIZENSHIP AND IMMIGRATION

PLACE OF HEARING: TORONTO, ONTARIO

DATE OF HEARING: JANUARY 20, 2025

JUDGMENT AND REASONS: BATTISTA J.

DATED: JANUARY 21, 2025

APPEARANCES:

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Mariam Shanouda	FOR THE RESPONDENT

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