

Federal Court



Cour fédérale

Date: 20250718

Docket: IMM-13880-24

Citation: 2025 FC 1286

Toronto, Ontario, July 18, 2025

PRESENT: The Honourable Mr. Justice A. Grant

BETWEEN:

MANMOHAN SINGH DHALIWAL

Applicant

and

**THE MINISTER OF CITIZENSHIP
AND IMMIGRATION**

Respondent

JUDGMENT AND REASONS

[1] For the following brief reasons, this application for judicial review will be dismissed.

[2] The Applicant applied for a work permit in Canada, where his wife and daughter are already residing, his wife having obtained a work permit, and his daughter a study permit.

[3] In brief and rather boilerplate reasons, an Officer with Immigration, Refugees and Citizenship Canada [IRCC] rejected his application, as follows:

I have reviewed the application. I have considered the following factors in my decision. The applicant does not have significant family ties outside Canada. The purpose of the applicant's visit to Canada is not consistent with a temporary stay given the details provided in the application. The applicant's current employment situation does not show that they are financially established in their country of residence. Weighing the factors in this application. I am not satisfied that the applicant will depart Canada at the end of the period authorized for their stay. For the reasons above, I have refused this application.

I. The Applicant's family ties outside Canada

[4] The *Immigration and Refugee Protection Act* [IRPA] places a positive obligation on work permit applicants to establish, amongst other things, that they will leave Canada by the end of the period authorized for their stay: IRPA s.200(1). In evaluating work permit applications, the presence of family ties outside Canada *may* be a relevant indicator as to whether an individual has met that obligation.

[5] In the context of this application for judicial review, the Applicant has discussed his ties to his father and sister in India and argues that they are important considerations. However, as the Respondent points out, this evidence was not submitted in support of his work permit application and was not before the Officer.

[6] In fact, the Applicant does not appear to have submitted a Family Information Form [IMM 5707] which requires applicants to provide details of their close family members. Moreover, in the Applicant's submissions provided in support of his work permit application, he made no mention of his family members in India, or any other ties outside Canada that would

have assisted the decision-maker in determining that the Applicant would depart Canada as required under the terms of his work permit.

[7] The Officer's reasons for rejecting the work permit application are admittedly brief and lack detail. However, the Officer cannot be faulted for summarily finding that the Applicant had provided insufficient evidence of his ties to India when he had, in fact, provided no such evidence.

II. No fairness violation in use of "Chinook" data tools

[8] For similar reasons, the Applicant's argument related to procedural fairness cannot prevail. The Applicant argues that in this case, his right to be heard was infringed through the use of "Chinook" software processing tools, because the decision rejecting his application contains no analysis of the facts and evidence submitted with the application.

[9] There are two problems with this submission. First, a failure to adequately consider facts and evidence in support of an application is not so much a question of fairness, but reasonableness, irrespective of whether the decision under review has been assisted with data management or artificial intelligence technologies.

[10] Second, and more fundamentally, there was no failure to further consider the Applicant's family ties outside of Canada, because as noted above, the Applicant provided no evidence in this regard. In brief, there is no indication that the Applicant's right to be heard was compromised. Rather, he appears to have submitted an insufficient application, and the

application was rejected on this basis. I cannot conclude that this was an unreasonable conclusion, based on the record.

[11] The Applicant points to jurisprudence of this Court indicating that while officers' reasons need not be exhaustive, they should set out the relevant line of analysis and be responsive to the submissions and evidence provided in support of the application: *Hagh Shenaz v. Canada (Citizenship and Immigration)*, 2024 FC 1086 at para 16. I certainly agree with these principles. The problem for the Applicant in this case, however, is that on the question of the Applicant's ties outside of Canada, he essentially made no submissions and adduced no evidence. To this extent, then, the Officer's reasons cannot be faulted for lacking in responsiveness or justification.

III. CONCLUSION

[12] For the above reasons, this application for judicial review will be dismissed. The parties did not propose a question for certification, and I agree that none arises.

JUDGMENT in IMM-13880-24

THIS COURT'S JUDGMENT is that:

1. The application for judicial review is dismissed.
2. No question is certified for appeal.

"Angus G. Grant"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-13380-24

STYLE OF CAUSE: MANMOHAN SINGH DHALIWAL v THE MINISTER
OF CITIZENSHIP AND IMMIGRATION

PLACE OF HEARING: HELD BY WAY OF VIDEOCONFERENCE

DATE OF HEARING: JULY 17, 2025

JUDGMENT AND REASONS: GRANT J.

DATED: JULY 18, 2025

APPEARANCES:

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