

Federal Court



Cour fédérale

Date: 20250818

Docket: IMM-15355-24

Citation: 2025 FC 1385

Toronto, Ontario, August 18, 2025

PRESENT: Mr. Justice Diner

BETWEEN:

SATTABRATA MISRA

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS

[1] The Applicant challenges a visa officer's [Officer] decision [Decision] refusing a work permit and finding the Applicant to be inadmissible under section 40(1)(a) of the *Immigration and Refugee Protection Act*, SC 2001, c 27 [IRPA], on the basis of it being both unreasonable, and unfair. As explained to the parties at the conclusion of submissions at the hearing, I will not interfere with the Decision. I provided, in my decision from the Bench, an explanation of my findings, detailing why the Decision's rationale was entirely sound, and its reasons, justifiable

and transparent, thus meeting the test in *Canada (Minister of Citizenship and Immigration v Vavilov*, 2019 SCC 65. I promised very brief written reasons to follow. These are them.

[2] The Applicant applied for a Labour Market Impact Assessment-based work permit in the Singapore visa office. With the assistance of an immigration consultant (i.e., not the very able counsel who assisted him in the present judicial review proceedings), his consultant submitted documents on his behalf. These documents included two bank statements from First Security Islami Bank [FSIB], which were not questioned.

[3] A second set of documents, issued on the same date from Bank Asia Limited [Bank Asia], were also submitted, and included a letter from Bank Asia certifying a balance of 48,382.51 TK, and an account statement indicating a balance of 2,548,382.51 TK. Because the letter and account statement reported very different and disproportionate account balances, the Officer conducted investigations, which confirmed the Respondent's suspicion that the statement with a very inflated balance (2,500,000 Tk more than the letter) was indeed fraudulent.

[4] On May 27, 2024, the Officer wrote a procedural fairness letter (PFL) to the Applicant, advising that he was "concerned that you may have provided fraudulent bank statements in your application", and provided the Applicant an opportunity to address the issue. The Applicant's consultant responded in due course, submitting further documentation regarding the FSIB account, without addressing the issue with the Bank Asia documents. The Officer, being unsatisfied with the non-responsive reply, refused the Application. A second officer confirmed

the inadmissibility finding for misrepresentation, which could have led to an error in the administration of the IRPA

[5] As explained to Applicant's counsel during the hearing, the Bank Asia document balances clearly contradicted each other in a very significant and material way. Furthermore, a visual review of the impugned bank documents clearly showed a suspicious entry on its face, with completely different font than all the other numbers provided in the statement, as if an inflated balance was added manually after its issuance.

[6] In light of the factual and legal constraints of the circumstances that arose, and in light of the Decision which was responsive to those facts and legal issues, along with the PFL response, I find the Decision was both reasonable and procedurally fair. The Application is accordingly dismissed. Counsel raised no questions for certification, and I agree none arise.

JUDGMENT in IMM-15355-24

THIS COURT’S JUDGMENT is that:

1. This application for judicial review is dismissed.
2. No questions raised for certification and none arise.
3. No costs will issue.

“Alan S. Diner”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-15355-24

STYLE OF CAUSE: SATTABRATA MISRA v MCI

PLACE OF HEARING: VANCOUVER, BRITISH COLUMBIA

DATE OF HEARING: AUGUST 11, 2025

JUDGMENT AND REASONS: DINER J.

DATED: AUGUST 18, 2025

APPEARANCES:

Dr. Samin Mortazavi	FOR THE APPLICANT
Nima Omid	FOR THE RESPONDENT

SOLICITORS OF RECORD:

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