

Federal Court



Cour fédérale

Date: 20240522

Docket: IMM-3747-23

Ottawa, Ontario, May 22, 2024

PRESENT: Madam Justice Azmudeh

BETWEEN:

KESHAV VISWANATH

Applicant

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

ORDER

UPON informal motion in writing for Judgment, brought on consent of the parties, dated May 16, 2024;

AND UPON considering Rule 3 of the Federal Courts Rules and, mutatis mutandis, the Court's practice regarding informal requests on consent for interlocutory relief;

AND UPON reviewing the Notice of Settlement Status filed and the Reasons for Settlement identified therein;

AND UPON noting the parties' agreement that the decision maker failed to consider evidence contrary to their findings;

AND UPON noting the consent of the parties; and

AND UPON being satisfied that there are grounds to grant the relief sought.

THIS COURT ORDERS that this motion and the application for judicial review are granted. The decision of the immigration officer dated December 19, 2022, refusing the Applicant's study permit application is set aside. The matter shall be re-determined by a different Officer. The Applicant shall be provided an opportunity to submit updated documentation in support of his application. No costs shall be payable to either party.

"Negar Azmudeh"

Judge