Federal Court Cour fédérale

Date: 20261001

Docket: IMM-7900-25

Citation: 2026 FC 1217

2026 FC 1217 (CanLII)

Toronto, Ontario, October 1, 2026

PRESENT: The Honourable Justice Battista

BETWEEN:

MANJIT SINGH RATTOL
RANVIR SINGH RATTOL

Applicants

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

REASONS AND JUDGMENT
(delivered orally from the bench on October 1, 2026)

[1] The Applicants are the spouse and child of a foreign worker in Canada. Their applications for a spousal open work permit and study permit were rejected by a visa officer based on a determination that they did not demonstrate sufficient funds to support their proposed stay in Canada.

[2] The Applicants allege that procedural fairness was breached because the Officer's decision was based on an adverse credibility finding but no procedural fairness letter was sent to the

Applicants. They argue that this deprived them of the ability to know the Officer's concerns and to adequately respond.

[3] The Respondent argues that the decision was based on the insufficiency of evidence rather than adverse credibility. As such, according to the Respondent there was no need to provide the Applicants with an opportunity to respond to the concerns by sending them a procedural fairness letter.

2026 FC 1217 (CanLII)

[4] I agree with the Applicants that the decision was based at least in part on an adverse credibility finding. The Officer's notes in the Global Case Management System state that "[t]he significant change in bank balance lends to the point that this account has been inflated for the purpose of acquiring a visa and are for demonstration purposes only."

[5] This statement expresses the Officer's speculation that the Applicants fabricated bank transactions for the purpose of supporting their applications. The Officer rendered an adverse opinion on the Applicants' honesty, and the veracity of information in their documents. I disagree with the Respondent that the Officer was merely raising doubts about the sufficiency of the Applicants' evidence.

[6] The Court has found that an Officer's determination that financial data has been "inflated" for purposes of advancing a visa application gives rise to a duty of fairness (*Fard v Canada (Citizenship and Immigration)*, 2024 FC 1403 at para 9). As stated by Justice James O'Reilly:

> [8] Where an officer believes that an applicant has provided documentary evidence that misrepresents a material fact, the officer owes the applicant a chance to respond. Otherwise, the applicant can

> be unfairly tarred by an officer's unanswered allegation of disreputable or even fraudulent conduct [citation omitted].

[7] The Applicants' applications were unfairly assessed because they were deprived of an opportunity to address the Officer's credibility concerns. For this reason, procedural fairness was breached and the application for judicial review is therefore granted.

2026 FC 1217 (CanLII)

JUDGMENT in IMM-7900-25

THIS COURT'S JUDGMENT is that:

1. The application for judicial review is granted, the decision rendered on the Applicants' applications is set aside, and the matter is remitted for redetermination by a different Officer.

2. There is no question for certification and no order regarding costs.

"Michael Battista"
Judge

2026 FC 1217 (CanLII)

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET:	IMM-7900-25
STYLE OF CAUSE:	MANJIT SINGH RATTOL and other v THE MINISTER OF CITIZENSHIP AND IMMIGRATION
PLACE OF HEARING:	TORONTO, ONTARIO
DATE OF HEARING:	OCTOBER 1, 2026
REASONS AND JUDGMENT:	BATTISTA J.
DATED:	OCTOBER 1, 2026

APPEARANCES:

Rajender Singh	FOR THE APPLICANTS
Jacob Davidson	FOR THE RESPONDENT

SOLICITORS OF RECORD:

RST Law Professional Corporation Barrister and Solicitor Mississauga, Ontario	FOR THE APPLICANTS
Attorney General of Canada Toronto, Ontario	FOR THE RESPONDENT

2026 FC 1217 (CanLII)