

Federal Court



Cour fédérale

Date: 20250430

Docket: IMM-53-25

Citation: 2025 FC 782

Ottawa, Ontario, April 30, 2025

PRESENT: The Honourable Justice Gleeson

BETWEEN:

RIMPA KRIPLANI

Applicant

and

**THE MINISTER OF CITIZENSHIP
AND IMMIGRATION**

Respondent

JUDGMENT AND REASONS

(Simplified Procedure-Study Permit Pilot Project)

[1] This is an application under the Study Permit Pilot Project on behalf of the Applicant pursuant to subsection 72(1) of the *Immigration and Refugee Protection Act*, SC 2001, c 27, for leave to commence an application for judicial review of a decision of an Officer with Immigration, Refugees and Citizenship Canada [Officer] dated November 29, 2024, refusing the Applicant's study permit application.

[2] Leave to commence the application for judicial review is granted. For the reasons that follow, I also grant the judicial review application.

[3] In refusing the Applicant's study permit, the Officer was not satisfied the Applicant had established she would leave Canada by the end of the period authorized for her stay as required by paragraph 216(1)(b) of the *Immigration and Refugee Protection Regulations*, SOR/2002-227. More specifically, the Officer found (1) that the details provided in the study permit application setting out the purpose of the Applicant's visit were not consistent with a temporary stay, (2) that the disclosed assets and the Applicant's financial situation were insufficient, and (3) that the proposed studies were not reasonable in light of the Applicant's qualifications and previous studies, including future prospects and plans. The Global Case Management System notes provide clarity as to the more specific factors the Officer considered in refusing the study permit application.

[4] The Respondent argues the Officer reasonably refused the study permit application. I disagree.

[5] In finding the Applicant lacked sufficient finances to cover the Applicant's tuition and living costs, the Officer states that the financial documentation was reviewed. That documentation included evidence of available funds, evidence that the Applicant will be financially supported by her sister while in Canada, and evidence setting out the sister's financial circumstances.

[6] The Officer does not identify any concerns with the Applicant's financial evidence but then states "I am not satisfied that the applicant has sufficient finances readily available to fully cover their tuition and living costs while studying in Canada." The Officer's finding is both unintelligible and lacks transparency.

[7] The Officer's conclusion that the proposed study program was not reasonable in light of the Applicant's qualifications and previous studies, including future prospects and plans, is similarly unintelligible when reviewed in light of the record that was before the Officer. Unlike *Mehrjoo v Canada (Citizenship and Immigration)*, 2023 FC 886, upon which the Respondent relies, the Applicant did not rely on general assertions to explain the benefits of the proposed studies. Instead, the Applicant's submissions in support of the study permit application address career progression to date and explain how the proposed study program would prepare her for a leadership and management role in a prominent educational institution. The Officer's finding that the proposed study program is "redundant" and not "a reasonable progression of studies" without any reference to this contradictory evidence undermines the transparency of the Officer's decision.

[8] In the circumstances, I find that the Applicant has met her onus of showing that the Decision lacks the requisite justification, transparency and intelligibility required by *Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 to survive judicial scrutiny (at paras 10, 25, 99, 100).

[9] The application for judicial review will be granted. No question for certification arises.

JUDGMENT in IMM-53-25

THIS COURT’S JUDGMENT is that:

1. Leave is granted to commence the application for judicial review.
2. The judicial review application is granted.
3. The matter is returned for redetermination by a different decision maker.
4. No question is certified.

“Patrick Gleeson”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-53-25

STYLE OF CAUSE: RIMPA KRIPLANI v THE MINISTER OF
CITIZENSHIP AND IMMIGRATION

**SUBMISSIONS ON STUDY PERMIT PERFECTED LEAVE APPLICATION
CONSIDERED AT OTTAWA, ONTARIO PURSUANT TO SECTION 72 OF THE
*IMMIGRATION AND REFUGEE PROTECTION ACT***

JUDGMENT AND REASONS: GLEESON J.

DATED: APRIL 30, 2025

WRITTEN PRESENTATIONS BY:

Cédric Marin FOR THE APPLICANT

Geneviève Tremblay-Tardif FOR THE RESPONDENT

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