

Federal Court



Cour fédérale

Date: 20250528

Docket: IMM-512-25

Citation: 2025 FC 961

Toronto, Ontario, May 28, 2025

PRESENT: The Honourable Justice Battista

BETWEEN:

DIKSHA BASRA

Applicant

And

**MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS
(Simplified Procedure-Study Permit Pilot Project)

I. Overview

[1] The Applicant, Disksha Basra, applied to study at British Columbia Institute of Technology. Her application for a study permit was refused by Immigration, Refugees and Citizenship Canada (IRCC) and she seeks judicial review of that refusal.

[2] This case was dealt with in writing, on consent of the parties, as part of the Court's Study Permit Pilot Project. I grant leave to commence the judicial review application, and I grant the application for judicial review.

[3] The application for a study permit was denied on the basis that the Applicant did not demonstrate sufficient evidence of funds required to study in Canada.

[4] The Applicant needed to demonstrate the capacity to pay approximately \$67,978.64 for tuition and living expenses for her two years of proposed study. Based on Rule 220 of the *Immigration and Refugee Protection Regulations*, SOR/2002-227, and the IRCC program instructions, she was able to fulfill that requirement by showing liquid assets (including prepayment of expenses) for the costs of the first year, combined with proof that funds will be available in subsequent years (*Pourmehdi Kasmaei v Canada (Citizenship and Immigration)*, 2024 FC 963 at paras 5-7).

[5] The Applicant was able to demonstrate a total of approximately \$60,000 in liquid assets and prepayments representing prepayment of tuition (\$11,853), funds in a Guaranteed Investment Certificate (\$20,635), as well as funds in her father's bank accounts (\$28,000). The Respondent disputes the ability of the Applicant's father to access some of the funds he held, but this concern does not appear in the reasons.

[6] The Applicant therefore needed to demonstrate that approximately CAD \$8,000 would be available in subsequent years. The Applicant's father's average income was more than sufficient

to cover this amount and he pledged to financially support her. The Officer's finding that there were not sufficient funds are not intelligible, rendering the decision unreasonable.

JUDGMENT in IMM-512-25

THIS COURT'S JUDGMENT is that:

1. The application for leave to bring the application for judicial review is granted.
2. The application for judicial review is granted, the refusal decision is set aside, and the matter is remitted for redetermination.
3. There is no order regarding costs and no question of general importance for certification.

"Michael Battista"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-512-25

STYLE OF CAUSE: DIKSHA BASRA v 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: BATTISTA J.

DATED: MAY 28, 2025

APPEARANCES:

Navratan Singh Fateh FOR THE APPLICANT

Helen Park FOR THE RESPONDENT

SOLICITORS OF RECORD:

Navratan Singh Fateh FOR THE APPLICANT
Barrister and Solicitor
Langley, British Columbia

Attorney General of Canada FOR THE RESPONDENT
Vancouver, British Columbia