

Federal Court



Cour fédérale

Date: 20260210

Docket: IMM-2064-25

Citation: 2026 FC 197

Ottawa, Ontario, February 10, 2026

PRESENT: The Honourable Madam Justice Heneghan

BETWEEN:

HAMEEDA BEGUM

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION CANADA**

Respondent

REASONS AND JUDGMENT

[1] Ms. Hameeda Begum (the “Applicant”) seeks judicial review of the decision of an officer (the “Officer”), refusing her application for permanent residence in Canada on humanitarian and compassionate (“H and C”) grounds pursuant to subsection 25(1) of the *Immigration and Refugee Protection Act* (S.C. 2001, c. 27) (the “Act”).

[2] The Applicant is a citizen of Pakistan, now 85 years of age. She applied for permanent residence on H and C grounds on October 31, 2023. Her application was refused by a decision dated January 8, 2025.

[3] The Applicant last entered Canada, holding a visitor visa, on February 25, 2020. She has resided with her daughter, her son-in-law and four grandchildren, all Canadian citizens. Her application for permanent residence focused on the elements of establishment and the best interests of the child, that is her grandchildren.

[4] The Applicant now argues that the Officer failed to consider the evidence she submitted and made an unreasonable decision.

[5] The Minister of Citizenship and Immigration (the “Respondent”) submits that the decision is reasonable and that this application should be dismissed.

[6] Following the decision of the Supreme Court of Canada in *Canada (Minister of Citizenship and Immigration) v. Vavilov*, [2019] 4 S.C.R. 653 the decision is reviewable on the standard of reasonableness.

[7] In considering reasonableness, the Court is to ask if the decision under review “bears the hallmarks of reasonableness – justification, transparency and intelligibility – and whether it is justified in relation to the relevant factual and legal constraints that bear on the decision”; see *Vavilov, supra*, at paragraph 99.

[8] Although the Officer addressed the best interests of the grandchildren, that issue was not squarely raised by the Applicant in her memorandum of argument at the leave stage and was not pursued at the hearing. The determinative issues for the Officer appeared to be the Applicant's establishment in Canada and lack of hardship if she returned to Pakistan.

[9] Considering the contents of the Certified Tribunal Record, the contents of the application and responding records, and the submissions of the parties, I am not satisfied that the decision meets the applicable standard.

[10] I agree with the submissions of the Applicant that the Officer's treatment of the evidence of hardship was not justified or transparent and did not take into account her personal circumstances.

[11] In the result, the application for judicial review will be allowed, the decision will be set aside, and the matter will be remitted to another officer for redetermination. There is no question for certification.

JUDGMENT in IMM-2064-25

THIS COURT'S JUDGMENT is that the application for judicial review is allowed, the decision is set aside, and the matter is remitted to another officer for redetermination. There is no question for certification.

"E. Heneghan"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-2064-25

STYLE OF CAUSE: HAMEEDA BEGUM v. THE MINISTER OF
CITIZENSHIP AND IMMIGRATION CANADA

PLACE OF HEARING: TORONTO, ONTARIO

DATE OF HEARING: JANUARY 20, 2026

REASONS AND JUDGMENT: HENEGHAN J.

DATED: FEBRUARY 10, 2026

APPEARANCES:

Mandeep Chaudhery

FOR THE APPLICANT

Amy King

FOR THE RESPONDENT

SOLICITORS OF RECORD:

Nanda & Associate Lawyers
Professional Corporation
Mississauga, Ontario

FOR THE APPLICANT

Attorney General of Canada
Toronto, Ontario

FOR THE RESPONDENT