

Federal Court



Cour fédérale

Date: 20160418

Docket: T-1723-15

Citation: 2016 FC 428

Vancouver, British Columbia, April 18, 2016

PRESENT: The Honourable Madam Justice Kane

BETWEEN:

**THE MINISTER OF CITIZENSHIP
AND IMMIGRATION**

Applicant

and

WILLARD AARON S DY CHUA

Respondent

JUDGMENT

UPON AN APPLICATION by the Minister of Citizenship and Immigration for judicial review under section 22.1 of the *Citizenship Act*, RSC 1985, C-29, as amended [Act], of the decision of a Citizenship Judge, dated September 14, 2015, that approved the Citizenship Application of the respondent, Willard Aaron S Dy Chua's, pursuant to subsection 5(1) of the *Act*;

AND UPON considering the applicant's motion, dated April 12, 2016, for an Order granting the application for judicial review without referral to a decision maker for re-determination, to which the respondent consents;

AND UPON considering the applicant's submissions that the respondent will not be prejudiced by this outcome and may make a new application for Citizenship based on the relevant criteria including his days of residence in Canada;

AND UPON considering the Consent Order provided to the Court signed by Counsel for the applicant and by the respondent;

THIS COURT ORDERS that:

1. The application for judicial review is allowed.
2. The decision of the Citizenship Judge, Gerald Pash, dated September 14 2015 is quashed.
3. The respondent's application for citizenship shall not be referred to another decision maker for redetermination.
4. No costs are awarded.

"Catherine M. Kane"

Judge