

**Date: 20080303**

**Docket: IMM-2395-07**

**Citation: 2008 FC 287**

**Toronto, Ontario, March 3, 2008**

**PRESENT: The Honourable Mr. Justice Campbell**

**BETWEEN:**

**YADVINDER SINGH TOOR**

**Applicant**

**and**

**MINISTER OF CITIZENSHIP AND IMMIGRATION**

**Respondent**

**REASONS FOR ORDER AND ORDER**

[1] The present Application concerns a Visa Officer's rejection of Mr. Singh's application for a visitor's visa. Mr. Toor, the Applicant, is Mr. Singh's cousin.

[2] Mr. Singh's application for the visa was based on his wish to be present at a special family function to be held in Toronto mid-June 2007. The visa application was made on May 14, 2007 resulting in a rejection dated May 15, 2007. The present Application contesting this rejection was filed on June 14, 2007, and has resulted in a hearing scheduled for this date.

[3] In my opinion, since the principal purpose of Mr. Singh's proposed visit to Canada has lapsed, and this is the purpose at the centre of the negative decision rendered, the question is whether there exists a live controversy which would warrant proceeding with the judicial review rather than dismissing the Application for mootness (*Borowski v. Canada (Attorney General*, [1989] 1 S.C.R. 342).

[4] The Applicant argues that the Visa Officer's decision is made in reviewable error because the finding that Mr. Singh has "low income and savings" is in conflict with an accountant's statement that his net worth is some \$200,000CAN (Tribunal Record, p.44). I agree that there is an apparent conflict between the finding and the evidence. However, I do not find that this fact constitutes a live controversy which compels me to exercise my discretion on judicial review. Mr. Singh has the option to make a further application for a visitor's visa, and is certainly at liberty to point out the conflict as described and to argue that, unlike the decision under review, his application warrants a positive outcome.

[5] As I choose not to exercise my discretion of the reason mentioned, I make no determination as to whether Mr. Toor has standing to bring the present Application.

**ORDER**

Accordingly, I dismiss the present Application for mootness.

“Douglas R. Campbell”

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Judge

**FEDERAL COURT**

**NAME OF COUNSEL AND SOLICITORS OF RECORD**

**DOCKET:** IMM-2395-07

**STYLE OF CAUSE:** YADVINDER SINGH TOOR v. MINISTER OF  
CITIZENSHIP AND IMMIGRATION

**PLACE OF HEARING:** Toronto, Ontario

**DATE OF HEARING:** March 3, 2008

**REASONS FOR ORDER  
AND ORDER BY:** CAMPBELL J.

**DATED:** March 3, 2008

**APPEARANCES:**

YADVINDER SINGH TOOR FOR THE APPLICANT (Self-Represented)

BRAD GOTKIN FOR THE RESPONDENT

**SOLICITORS OF RECORD:**

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Barrister & Solicitor  
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