



Immigration and  
Refugee Board of Canada

Commission de l'immigration  
et du statut de réfugié du Canada

Western Region  
Library Square  
Suite 1600 300 West Georgia St.  
Vancouver, BC V6B 6C9  
Telephone: (604) 666-5946  
Toll Free: 1-866-787-7472  
Facsimile: (604) 666-3043

Immigration Appeal Division    Section d'appel de l'immigration

IAD File Number: VB8-01123  
Client ID: 57857345

STATEMENT THAT A DOCUMENT WAS PROVIDED

On 05.15.2019 I provided the **Notice of Decision**

To the **appellant** at the following address:

Fakhra Jabeen  
8935 - 154 Street  
Surrey, BC V3R 4J3

Personal Service:   
Prepaid Regular Mail:   
Courier:   
Fax:

To the **appellant's counsel** at the following address:

Massood Joomratty  
Barrister And Solicitor  
Suite 207 - 7238 137 St.  
Surrey, BC V3W 1V3

Personal Service:   
Prepaid Regular Mail:   
Courier:   
Fax:

To the **Minister's counsel** at the following address:

Canada Border Services Agency  
Attn: Hearings and Appeals  
Suite 700, 300 West Georgia Street  
Vancouver, BC V6B 6C8

Personal Service:   
Prepaid Regular Mail:   
Courier:   
Fax:

(Signature)

Name:

M. DOBROTA



IAD File No. / N° dossier de la SAI: VB8-01123  
Client ID No. / N° ID client: 57857345

Appellant(s)	Fakhra Jabeen	Appelant(s)
Respondent	The Minister of Citizenship and Immigration Le ministre de la Citoyenneté et de l'Immigration	Intimé
Date(s) and Place of Proceeding	May 14, 2019 Vancouver, BC	Date(s) et Lieu de la procédure
Date of Decision	May 14, 2019	Date de la Décision
Panel	Linda Taylor	Tribunal
Appellant's Counsel	Massood Joomratty Barrister and Solicitor	Conseil de l'appelant(s)
Minister's Counsel	Stephanie Naqvi	Conseil de l'intimé

**NOTICE OF DECISION**  
*Sponsorship*

**Member's Decision:** After reviewing the consent and joint recommendation of both parties, as indicated in the signed Summary of Agreement, and considering the information provided in this appeal, I am satisfied that this appeal should be allowed. The officer's decision to refuse a permanent resident visa is set aside, and the officer must continue processing the application in accordance with the reasons of the Immigration Appeal Division, as set out in the Summary of Agreement.

**Registrar's Certification:** I certify that this is the decision of the member in this appeal.

For Registrar

May 15, 2019  
Date

Judicial Review – Under section 72 of the *Immigration and Refugee Protection Act*, you may make an application to the Federal Court for judicial review of this decision, with leave of that Court. You may wish to get advice from counsel as soon as possible, since there are time limits for this application

Contrôle judiciaire – Aux termes de l'article 72 de la Loi sur l'immigration et la protection des réfugiés, vous pouvez, avec l'autorisation de la Cour fédérale, présenter une demande de contrôle judiciaire de la décision rendue. Veuillez consulter un conseil sans tarder car cette demande doit être faite dans un délai précis.



Immigration and  
Refugee Board of Canada

Immigration Appeal  
Division

Commission de l'immigration  
et du statut de réfugié du Canada

Section d'appel de  
l'immigration

Western Region  
Library Square  
Suite 1600 300 W Georgia St  
Vancouver, BC V6B 6C9  
Telephone: (604) 666-5946  
Facsimile: (604) 666-3043

## ALTERNATIVE DISPUTE RESOLUTION SUMMARY OF AGREEMENT OF THE PARTIES

**Appellant: Fakhra JABEEN**

**File No.: VB8-01123**

**Client ID: 5785-7345**


This appeal is from a refusal based on a bad faith conjugal relationship. The Minister is satisfied that this appeal should be allowed on the basis the decision appealed is wrong in law.

The Minister is satisfied that:


1. This is a genuine conjugal relationship where the applicant did not marry the appellant primarily for immigration purposes.
2. The appellant was credible and provided satisfactory explanations regarding the issues that caused the initial refusal to be made.
3. For example:
  - (a) The appellant provided satisfactory and more detailed information regarding the genesis and development of the relationship. The couple had a child together and he is currently residing with the applicant in Pakistan.
  - (b) The appellant has visited the applicant since the marriage and provided credible evidence of their time spent together.
  - (c) The appellant provided credible evidence of ongoing communication with the applicant.
  - (d) The appellant adequately addressed the concerns of the immigration officer through the information, both oral and documentary, provided at the ADR conference.

The Minister's counsel is of the opinion that if this case proceeded to a full hearing before the Immigration Appeal Division the appellant would likely succeed at appeal. Consequently, the Minister is of the opinion that it is not in the public interest to litigate this matter further.

The parties agree that this Summary of Agreement is the basis upon which they consent to the appeal being allowed, and the parties jointly recommend to the Immigration Appeal Division to allow this appeal.

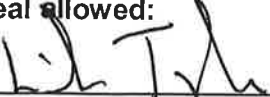
  
\_\_\_\_\_  
Massood Joomratty / Appellant's counsel

Date: May 14, 2019

  
\_\_\_\_\_  
Stephanie Naqvi / Minister's counsel

Date: May 14, 2019

Appeal allowed:

  
\_\_\_\_\_  
IAD Member / ADC

Date: 14 May 2019  
\_\_\_\_\_

Canada