

CANADA / JUDGMENT

# Batta v. Canada (Citizenship and Immigration)

2025 FC 1976

COURT

Federal Court

DECIDED

16 December 2025

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Batta v. Canada (Citizenship and Immigration) Court (s) Database Federal Court Decisions Date 2025-12-16 Neutral citation 2025 FC 1976 File numbers IMM-18559-24 Decision Content Date: 20251216 Docket: IMM-18559-24 Citation: 2025 FC 1976 Toronto, Ontario, December 16, 2025 PRESENT: Mr. Justice Brouwer BETWEEN: NASIR HAROON BATTA Applicant and THE MINISTER OF CITIZENSHIP AND IMMIGRATION Respondent JUDGMENT AND REASONS

- [1] Nasir Haroon Batta applied for a work permit and permanent residence in Canada under the Temporary Foreign Worker Program [TFWP] and the Ontario Provincial Nominee Program [PNP], respectively. His applications were refused by Immigration, Refugees and Citizenship Canada [IRCC] Officers who determined that he had misrepresented the nature of his employment. As explained below, Mr. Batta has not demonstrated that the refusals were unreasonable or procedurally unfair, and his application must therefore be dismissed. I. Background [2] Mr. Batta is a citizen of Pakistan who lives and works in the United Arab Emirates [UAE] since 2012. Mr. Batta applied for permanent residence under the PNP on June 9, 2023, and a week later he applied for a work permit, having received a job offer as a Procurement Officer with an Ontario corporation specializing in medical services.
- [3] On April 2, 2024, an Immigration Officer responsible for processing his work permit application sent Mr. Batta a procedural fairness letter [PFL] asserting that the employment history information contained in his work permit application conflicted with information he had provided five years earlier in an unsuccessful application for a temporary resident visa and gave rise to a concern about misrepresentation under subsection 40(1)(a) of the Immigration and Refugee Protection Act, SC 2001, c 27 [IRPA]. Specifically, the Officer noted that Mr. Batta's application identifying himself as a procurement and supply chain specialist employed by QTech Med, a division of QTech Trading LLC, was inconsistent with the earlier visa application in which he had identified himself as "Managing Partner/CEO" of QTech Trading LLC, which was supported by a commercial licence identifying him as "manager."

- [4] Mr. Batta responded two weeks later, asserting that there had been no misrepresentation, that “Managing Partner/CEO” is simply a generic job title indicating a senior role within the company, and that his characterization of his current role in his 2024 application was accurate and reflects a shift in the company’s business operations.
- [5] On September 11, 2024, Mr. Batta received a further PFL, this one in connection with his permanent residence application. The Officer cited the allegation of misrepresentation set out in the previous PFL and his response to that allegation and provided him with another opportunity to address IRCC’s misrepresentation concerns.
- [6] On September 17, Mr. Batta responded to this PFL explaining that it was customary in the UAE for “business owners and self-employed individuals” to hold multiple roles and be identified as “Managing Partner” and “CEO” even if their specialized daily functions are not reflected in those titles. He noted that in his permanent residence application for he had identified himself as “Procurement Specialist/CEO.”
- [7] Mr. Batta’s work permit application was refused on September 24, 2024, based on a finding of misrepresentation regarding Mr. Batta’s employment. A five-year entry ban was imposed under subsection 40(2)(a) of IRPA. Mr. Batta’s permanent residence application was refused three days later, on the same basis. II. Analysis [8] Mr. Batta challenges the decisions as unreasonable. He alleges that the Officers failed to engage with the contradictory evidence and to reasonably explain their conclusions, misunderstood the evidence about his job description, and failed to consider whether he had simply made an innocent mistake. Although Mr. Batta also asserted a breach of procedural fairness, he provided no argumentation to support the assertion, and I find the issues are better assessed through the lens of reasonableness.
- [9] The decisions of the IRCC Officers are reviewable on a standard of reasonableness. Reasonableness review involves assessing whether an administrative decision is “based on an internally coherent and rational chain of analysis and [...] is justified in relation to the facts and the law that constrain the decision maker” (Canada (Minister of Citizenship and Immigration) v Vavilov, 2019 SCC 65 at para 85 [Vavilov]). This Court must assess whether the decisions under review bear the hallmarks of reasonableness: justification, transparency and intelligibility (Vavilov at para 99).
- [10] The onus is on the applicant to demonstrate that the decision maker has fallen afoul of this standard. Mr. Batta has not met his onus.
- [11] The following facts, on which both Officers relied, are not disputed: In his 2019 temporary resident visa application, Mr. Batta declared his occupation as “Managing Partner/CEO” of QTech Trading LLC; In support of his 2019 TRV application, Mr. Batta produced a commercial license of QTech Trading LLC naming himself as the manager of an electronics company (no medical industries) and identifying no other partners; In his applications made in 2024, Mr. Batta declared himself as “procurement/supply chain specialist” and produced documents affirming this role, including salaried employee payslips, an approval

letter for a leave of absence signed by a person identified as a partner of the company, and an employment confirmation letter signed by a director of the company; In response to the PFL, the Applicant included a legal opinion that stated it is customary for self-employed individuals, entrepreneurs, and owners of limited liability companies [LLCs] to hold executive titles.

- [12] It was certainly open to the Officers to find, based on the materials submitted by Mr. Batta, that he had provided contradictory information about his employment situation, and that on a balance of probabilities he had misrepresented his employment as being that of a salaried employee rather than a business owner in order to increase his chances of receiving an employer-specific work permit. The decisions, though brief, reflect the evidence and are transparent, intelligible, and justified: the Officers clearly explained how and why they reached their conclusion, and I am unable to see any error in the findings that might justify this Court's intervention.
- [13] Nor did Mr. Batta provide any information or evidence in his responses to the PFLs that might have triggered an obligation to assess whether the misrepresentations were innocent mistakes. Put simply, he did not concede any mistake, innocent or otherwise, but merely denied that there was an inconsistency despite clear evidence to the contrary. I agree with the Respondent that in these circumstances the Officers were under no obligation to consider whether there had been an innocent mistake (*Ahmed v Canada (Citizenship and Immigration)*, 2020 FC 107 at para 25, citing *Alalami v Canada (Citizenship and Immigration)*, 2018 FC 328 at para 16; *Falsafi v Canada (Citizenship and Immigration)*, 2024 FC 1458 paras 32-34; *Takhar v Canada (Citizenship and Immigration)*, 2022 FC 420 at para 21).
- [14] I therefore dismiss the application. Neither party proposed a question for certification, and I agree that none arises. JUDGMENT in IMM-18559-24 THIS COURT'S JUDGMENT is that: The application is dismissed No question is certified. "Andrew J. Brouwer" Judge FEDERAL COURT SOLICITORS OF RECORD Docket: IMM-18559-24 STYLE OF CAUSE: NASIR HAROON BATTa v THE MINISTER OF CITIZENSHIP AND IMMIGRATION PLACE OF HEARING: TORONTO DATE OF HEARING: November 19, 2025 JUDGMENT AND REASONS: BROUWER j. DATED: DECEMBER 16, 2025 APPEARANCES: CHAUDHRY FAISAL KHAN For The Applicant KAREENA WILDING For The Respondent SOLICITORS OF RECORD: Chaudry Faisal Khan CFK Law Barrister & Solicitor For The Applicant Attorney General of Canada Toronto, Ontario For The Respondent

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