



Date: 20120628

Docket: IMM-6331-12

Citation: 2012 FC 826

Ottawa, Ontario, June 28, 2012

PRESENT: The Honourable Mr. Justice Shore

BETWEEN:

ROOKMIN PRASHAD

Applicant

and

**THE MINISTER OF CITIZENSHIP
AND IMMIGRATION AND THE MINISTER
OF PUBLIC SAFETY AND
EMERGENCY PREPAREDNESS**

Respondent

REASONS FOR ORDER AND ORDER

[1] It is recognized that a spousal sponsorship application was filed as soon as previous counsel forwarded it and is in the operational phase.

[2] On application of the tri-partite conjunctive *Toth v Canada (Minister of Employment and Immigration)* (1988), 86 NR 302 (FCA) decision test, this Court determines that the Applicant has not met the test for a stay in this context; and, therefore, the sponsorship application will follow its

course, hopefully, as quickly as possible, in order that one more family, amongst other, *bona fide*, families can be reunited.

[3] Unless exceptional circumstances prevail, sponsorship applications as per a queue, “operate independently of the deportation process” (*Patterson v Canada (Minister of Citizenship and Immigration)*, 2008 FC 406 at para 24).

ORDER

THUS, THIS COURT ORDERS, for the reasons specified above, that the Applicant's application for a stay of removal be denied with no question for certification having been proposed.

Obiter

Bona fide applications are processed as quickly as the Canadian authorities can feasibly process them. The unification of decent families contributing to the fabric of Canada, constitute the essence of what makes Canada, the Country that it is. This, being the Canada Day weekend, the ripple effect of this Country, and its moral fiber is witnessed, in the ripple effect extending from the community to the nation and to the world. It is a demonstration of what Canadian values hold and what they represent, and, thus, what Canada stands for in the community of nations as reflected in its domestic national *Immigration and Refugee Protection Act*, SC 2001, c 27 [IRPA] and in its international commitments through International Conventions to which Canada is a party (IRPA, paragraph 3(1)(d) "to see that families are reunited in Canada").

"Michel M.J. Shore"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-6331-12

STYLE OF CAUSE: ROOKMIN PRASHAD v THE MINISTER OF
CITIZENSHIP AND IMMIGRATION AND THE
MINISTER OF PUBLIC SAFETY AND EMERGENCY
PREPAREDNESS

**MOTION HELD VIA TELECONFERENCE ON JUNE 28, 2012 FROM OTTAWA,
ONTARIO AND TORONTO, ONTARIO**

**REASONS FOR ORDER
AND ORDER:**

SHORE J.

DATED: June 28, 2012

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