

Federal Court



Cour fédérale

**Date: 20130524**

**Docket: IMM-8559-12**

**Citation: 2013 FC 548**

**Ottawa, Ontario, May 24, 2013**

**PRESENT: The Honourable Madam Justice Mactavish**

**BETWEEN:**

**JASBIR SINGH RANGI**

**Applicant**

**and**

**THE MINISTER OF CITIZENSHIP AND  
IMMIGRATION**

**Respondent**

**REASONS FOR JUDGMENT AND JUDGMENT**

[1] The Immigration Appeal Division of the Immigration and Refugee Board dismissed Jasbir Singh Rangi's appeal from a decision of a visa officer refusing to issue a permanent resident visa to the children of Mr. Rangi's deceased sister. Mr. Rangi had applied to sponsor the children as members of the family class. The Board found that Mr. Rangi had adopted the children in order to facilitate their immigration to Canada. The Board was, moreover, not satisfied that a genuine parent-child relationship existed between Mr. Rangi and his adopted children.

[2] Mr. Rangi submits that the Board erred in concluding that a “genuine parent-child relationship” did not exist between him and his children because the children maintained some degree of contact with their biological father. The Board further erred, he says, by failing to consider the totality of the evidence in concluding that there was no genuine parent-child relationship between Mr. Rangi and the children.

[3] A determination as to whether a genuine parent-child relationship has been established in a given case is a heavily fact-laden inquiry, and as such is reviewable on the reasonableness standard.

[4] In this case, the Board provided lengthy and cogent reasons for dismissing the appeal. It noted that contrary to Mr. Rangi’s testimony, the record revealed that the impetus for Mr. Rangi adopting the children originated not with him, but arose out of discussions between Mr. Rangi’s then-counsel and a visa officer as to how he might bring the children to Canada.

[5] The Board carefully reviewed the numerous inconsistencies in the evidence provided by Mr. Rangi and his relatives in support of his sponsorship application, as well as the bizarre sequence of events that occurred when Canadian immigration authorities attempted to visit the children in their village in India. The family’s ultimately successful efforts to thwart these officials in their mission quite reasonably raised serious concerns on the part of the Board as to what it was that the family was trying to hide.

[6] In this regard it is noteworthy that no attempt has been made to challenge the finding that the children had continued to live with their biological father after the children were adopted by Mr.

Rangi. The fact that they continued to reside with their biological father for at least six years after the death of their mother and their adoption by Mr. Rangi quite reasonably raised real concerns as to the existence of a genuine parent-child relationship between Mr. Rangi and the children.

[7] The Board recognized that there had been some telephone and email communication between Mr. Rangi and the children over the years, but concluded that this was insufficient to demonstrate the existence of a genuine parent-child relationship. This was a conclusion that was reasonably open to the Board on the record before it, particularly in light of that fact that Mr. Rangi has only visited the children twice since he adopted them in 1999.

[8] The onus was on Mr. Rangi to establish the existence of a genuine parent-child relationship between himself and the children. The Board concluded that he had not done so, providing lucid and comprehensive reasons for coming to that conclusion.

[9] At the end of the day, what Mr. Rangi really takes issue with is the weight ascribed to the evidence by the Board. The weight to be given to the evidence is a matter for the Board to determine, and Mr. Rangi has not demonstrated the existence of a reviewable error in this regard. Consequently the application for judicial review will be dismissed. I agree with the parties that the case does not raise a question for certification.

**JUDGMENT**

**THIS COURT ORDERS AND ADJUDGES that:**

1. This application for judicial review is dismissed.

“Anne L. Mactavish”

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Judge

**FEDERAL COURT**

**SOLICITORS OF RECORD**

**DOCKET:** IMM-8559-12

**STYLE OF CAUSE:** JASBIR SINGH RANGI v.  
THE MINISTER OF CITIZENSHIP AND  
IMMIGRATION

**PLACE OF HEARING:** Toronto, Ontario

**DATE OF HEARING:** May 23, 2013

**REASONS FOR JUDGMENT  
AND JUDGMENT:** MACTAVISH J.

**DATED:** May 24, 2013

**APPEARANCES:**

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FOR THE APPLICANT

Asha Gafar

FOR THE RESPONDENT

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