



Cour d'appel fédérale

Date: 20151110

Docket: A-566-14

Citation: 2015 FCA 252

CORAM: NADON J.A.

GAUTHIER J.A. DE MONTIGNY J.A.

BETWEEN:

JEAN BELLEC

Appellant

and

ATTORNEY GENERAL OF CANADA

Respondent

Heard at Ottawa, Ontario, on November 10, 2015.

Judgment delivered at Ottawa, Ontario, on November 10, 2015.

REASONS FOR JUDGMENT OF THE COURT BY:

NADON J.A.

Federal Court of Appeal



Cour d'appel fédérale

Date: 20151110

Docket: A-566-14

Citation: 2015 FCA 252

CORAM: NADON J.A.

GAUTHIER J.A. DE MONTIGNY J.A.

BETWEEN:

JEAN BELLEC

Appellant

and

ATTORNEY GENERAL OF CANADA

Respondent

REASONS FOR JUDGMENT OF THE COURT (Delivered from the bench at Ottawa, Ontario, on November 10, 2015.)

NADON J.A.:

- [1] We are all of the opinion that there is no reason to intervene.
- [2] We are not satisfied that the Judge erred in finding, as he did, that the appellant's application for judicial review should be denied.

[3] Notwithstanding Mr. McGee's very apt arguments, we do not believe that the criteria

pertaining to estoppel are met in this case;

[4] Specifically, we are of the opinion that the evidence of record does not support the

appellant's argument that Mr. Rancourt had allegedly made him a promise guaranteeing a salary

at the AS-04 level with Public Works and Government Services Canada.

[5] Before concluding, it should be noted that the only theory argued before this Court by the

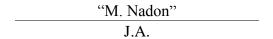
appellant, namely estoppel, was not brought to the attention of the administrative decision maker

whose decision is challenged by the appellant's application for judicial review. Moreover, even

though that theory seems to have been argued orally before Justice Martineau, it does not appear

in the brief filed by the appellant before the Federal Court.

[6] Therefore, the appeal is dismissed with costs.



Certified true translation François Brunet, revisor

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-566-14

STYLE OF CAUSE: JEAN BELLEC v. ATTORNEY

GENERAL OF CANADA

PLACE OF HEARING: OTTAWA, ONTARIO

DATE OF HEARING: NOVEMBER 10, 2015

REASONS FOR JUDGMENT OF THE COURT BY: NADON J.A.

GAUTHIER J.A. DE MONTIGNY J.A.

DELIVERED FROM THE BENCH BY: NADON J.A.

APPEARANCES:

Sean T. McGee FOR THE APPELLANT

JEAN BELLEC

Zorica Guzina FOR THE RESPONDENT

ATTORNEY GENERAL OF

CANADA

SOLICITORS OF RECORD:

Nelligan O'Brien Payne LLP FOR THE APPELLANT

Ottawa, Ontario JEAN BELLEC

William F. Pentney FOR THE RESPONDENT

Deputy Attorney General of Canada ATTORNEY GENERAL OF

CANADA