

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

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



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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.

“M. Nadon”

J.A.

Certified true translation
Francois 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:

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