

Date: 20071001

Docket: A-570-06

Citation: 2007 FCA 309

**CORAM: NADON J.A.
SEXTON J.A.
SHARLOW J.A.**

BETWEEN:

**VAHEED ALI
AKILA ALI
QALSOOM ALI
HARES ALI**

Appellants

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

Heard at Toronto, Ontario, on October 1, 2007.

Judgment delivered from the Bench at Toronto, on October 1, 2007.

REASONS FOR JUDGMENT OF THE COURT BY:

SHARLOW J.A.

Date: 20071001

Docket: A-570-06

Citation: 2007 FCA 309

**CORAM: NADON J.A.
SEXTON J.A.
SHARLOW J.A.**

**VAHEED ALI
AKILA ALI
QALSOOM ALI
HARES ALI**

Appellants

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

REASONS FOR JUDGMENT OF THE COURT

(Delivered from the Bench at Toronto, Ontario, on October 1, 2007)

SHARLOW J.A.

[1] The appellants are refugee claimants from Pakistan whose claims were rejected by the Refugee Protection Division (RPD). This application for judicial review was dismissed by Justice Gauthier (2006 FCA 1360). She certified a question relating to “Guideline 7” which has been

rendered moot by *Thamotharem v. Canada (Minister of Citizenship and Immigration)* (2007 FCA 198) and *Benitez v. Canada (Minister of Citizenship and Immigration)* (2007 FCA 199).

[2] The only remaining issue raised by the appellant (which was mentioned for the first time in oral submissions at the hearing of this appeal) related to the RPD's determination that there is adequate state protection for the appellants in Pakistan. Justice Gauthier reviewed the RPD's reasons and the record, and found that determination to be reasonable. The record before us discloses no error of law or any other error on the part of Justice Gauthier that warrants the intervention of this Court.

[3] The appeal will be dismissed.

“K. Sharlow”

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-570-06

STYLE OF CAUSE: VAHEED ALI, AKILA ALI,
QALSOOM ALI, HARES ALI
Appellants
and
THE MINISTER OF
CITIZENSHIP AND
IMMIGRATION
Respondent

DATE OF HEARING: OCTOBER 1, 2007

PLACE OF HEARING: TORONTO, ONTARIO

**REASONS FOR JUDGMENT
OF THE COURT BY:** (NADON, SEXTON &
SHARLOW J.J.A.)

DELIVERED FROM THE BENCH BY: SHARLOW J.A.

APPEARANCES BY:

MAX BERGER FOR THE APPELLANTS

KAREENA WILDING FOR THE RESPONDENT
LINDA CHEN

SOLICITORS OF RECORD:

MAX BERGER PROFESSIONAL LAW FOR THE APPELLANTS
CORPORATION,
TORONTO
JOHN H. SIMS, Q.C. FOR THE RESPONDENT
DEPUTY ATTORNEY GENERAL OF CANADA