

FORM 337 - Rule 337

NOTICE OF APPEAL

FEDERAL COURT OF APPEAL

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| FEDERAL COURT OF APPEAL | | D E P O S E |
| COUR D'APPEL FÉDÉRALE | | |
| F I L E D | 29-NOV-2022 | |
| | Kathleen Harrill | |
| CALGARY, AB | | 1 |

BETWEEN:

MANSOOR KHAWAJA

Appellant

and

HIS MAJESTY THE KING IN RIGHT OF CANADA

Respondent

NOTICE OF APPEAL

TO THE RESPONDENT:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the appellant. The relief claimed by the appellant appears below.

THIS APPEAL will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court directs otherwise, the place of hearing will be as requested by the appellant. The appellant requests that this appeal be heard at (*place where Federal Court of Appeal (or Federal Court) ordinarily sits*).

IF YOU WISH TO OPPOSE THIS APPEAL, to receive notice of any step in the appeal or to be served with any documents in the appeal, you or a solicitor acting for you must prepare a notice of appearance in Form 341A prescribed by the *Federal Courts Rules* and serve it on the appellant's solicitor, or, if the appellant is self-represented, on the appellant, WITHIN 10 DAYS after being served with this notice of appeal.

IF YOU INTEND TO SEEK A DIFFERENT DISPOSITION of the order appealed from, you must serve and file a notice of cross-appeal in Form 341B prescribed by the *Federal Courts Rules* instead of serving and filing a notice of appearance.

Copies of the *Federal Courts Rules*, information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO OPPOSE THIS APPEAL, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

Date: November 29, 2022

Issued by:

ORIGINAL SIGNED BY
KATHLEEN HARRILL
A SIGNÉ L'ORIGINAL

Address of local office: Canadian Occidental Tower
3rd Floor
635 8th Avenue S.W.
Calgary, AB T2P 3M3

TO: Katherine Starks
ATTORNEY GENERAL OF CANADA
Department of Justice
Prairie Regional Office
300, 10423 – 101 Street
Edmonton, AB T5H 0E7

I HEREBY CERTIFY that the above
document is a true copy of the original
filed in the Court on / and dated

KATHLEEN HARRILL / REGISTRY OFFICER

APPEAL

FEDERAL COURT OF APPEAL

BETWEEN:

MANSOOR KHAWAJA

Appellant

and

HIS MAJESTY THE KING IN RIGHT OF CANADA

Respondent

THE APPELLANT APPEALS to the Federal Court of Appeal from the order of The Honourable Madam Justice Rochester, dated November 21, 2022, by which 2022 FC 1592.

1. Attorney General of Canada has transferred the title of defendant from Transport Canada to HIS MAJESTY THE KING IN RIGHT OF CANADA. Which provides relief to the related staff of Transport Canada who failed to provide service to the citizen and specifically to the Claimant.

All the responsibility of actions lies on the shoulders of related staff of Transport Canada.

2. It is pertinent to mention that I remained in touch with the concerned authorities about my case from the date of cause of action. Therefore, question of limitation does not stand in the way to deliver justice. Transport Canada may kindly be ordered to conduct inquiry as to what are the causes for delay which time barred this case. All the correspondence is clear evidence that Transport Canada was taking considerable time for replying. At no stage Transport Canada considered time limitation. In future ordinary citizens don't need to bring this kind of matter to Honorable Court
3. I request Honorable Court to order Transport Canada to honor the below mentioned clause of NAFTA (USMCA) agreement and arrange to amend CARs and application form accordingly. Grant me authorization to impart instructions to instructors.

Clause of agreement that permit's FAA Flight Instructors to impart Flight Instructions for an Instructor Rating:

Flight Training for an Instructor Rating : —

Aeroplane or Helicopter • In Canada, TCCA requires instructors from the United Mexican States and the U.S. to have 750 hours of flight instruction in the category (600 hours of dual flight instruction for a civil pilot licence) and have recommended 10 applicants for the private, commercial or recreational pilot permit (RPP) flight test (maximum 3 for the RPP). Instructors from the U.S. must take an evaluation flight

4. As a matter of fact, there is no existing tool to measure human pain and suffering. If the Attorney General believes that my claim for loss of wages, pain and suffering of almost SIX years staying away from my family for doing the job which an ordinary Canadian senior citizen will never do is unreasonable then I am willing to reconsider the amount claimed in statement of claim: -

Para No. 26 \$ 390,000. For loss of wages

Para No. 27 \$ 600,000. For my pain and suffering

5. In reply to para-No. 9 and 10 of the Court order the excess of 180 pages of evidence filed by defendant. Out of all these, 20 pages are my Pilot Training Record, 21 pages of my personal flying logbook, 17 pages stamps of commissioner of oath. Remaining are application forms, payment receipts, reference material of CARs, flight test reports and emails. Obviously, this is all standard material for Flight Crew license. Nothing was specifically provided to support to defense the matter.

Whereas my one-page letter from Access to Information and privacy (ATIP) Office is sufficient to prove that "no records" were found that Ms. Fyke ever sent my request to "Transport Canada Headquarter". Please look into the gravity of the conduct by Ms. Fyke.

6. Request to set aside penalty of 400 dollars for doing the job which was not job of appellant.

DATED at Calgary, Alberta this 28th day of November 2022.



MANSOOR KHAWAJA

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