

(Court seal)

Case File No. T-423-24

FEDERAL COURT

BETWEEN

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| FEDERAL COURT COUR FÉDÉRALE | D É P O S É |
| Feb 26, 2024 | |
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| Toronto, ONT | - 1 - |

Sohail Mahmood Durrani

Applicant

-and-

ATTORNEY GENERAL OF CANADA

Respondent

Notice of Application

TO THE RESPONDENT:

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

THIS APPLICATION will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court orders otherwise, the place of hearing will be as requested by the applicant. The applicant requests that this application be heard at Vancouver.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or a solicitor acting for you must file a notice of appearance in Form 305 prescribed by the Federal Courts Rules and serve it on the applicant's solicitor or, if the applicant is self-represented, on the applicant, WITHIN 10 DAYS after being served with this notice of application.

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 APPLICATION, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

February 28, 2024

Issued by: (Registry Officer)

Address of local office:

Federal Court of Canada

Vancouver Local Office

701 West Georgia Street
Vancouver, British Columbia
V7Y 1B6

TO: ATTORNEY GENERAL OF CANADA

BC Regional Office

Department of Justice Canada
900 - 840 Howe Street
Vancouver, British Columbia V6Z 2S9

Telephone: 604-666-2061

Fax: 604-666-2760

E. Thistle, Manager

Canada Emergency Benefits Validation

CRA

Sudbury ON, P3A 5C1

Application

This is an application for judicial review in respect of decision of the CRA Second review for your Canada Recovery Benefit application (the "Tribunal") dated January 25th 2024 in file number C0058065279-001-45. This decision is the subject matter of this petition.

The applicant makes application for:

I was hired Westminster College , Surrey in September 2019 and laid off because of Covid in March 2020

My average Gross bi-weekly income during this period was \$1316.96 and its 50% is \$658.48.

My Gross biweekly income from Sept 2020 till Oct 2021 was from \$500 till \$650 that is less than 50% reduction in my biweekly Gross income (Sept 2019 till 24th March 2020 pre COVID).

CRA is counting my Gross bi weekly income after I was laid off in March 2020 and till Sep 2020 that was from \$0 and \$500 . Because of counting of my Gross bi-weekly income after I was laid off that is \$0 to \$500 to my average bi-weekly income from September 2019 till September 2020 was dropped to \$887.84 and 50% of it is \$439.42 that is less then my \$500 to \$650 Gross bi-weekly Income I was earning after Sept 2020.

Request to consider my Average Gross bi weekly income upto the date I was laid off because of Covid in March 2020 that was \$1316.96 and its 50% is 658.48 and my Gross bi weekly income from October 11, 2020 till October 9, 2021 was from **\$500 to \$650** that is less then 50% reduction in Average Gross bi weekly income (**\$658.48**) for the period before I was laid off in March 2020 due to Covid.

Therefore as per CRA regulations, I am eligible for CRB for the period from October 11, 2020 till October 09, 2021 that is Reduction 50% of Average Gross Bi weekly income for the period till I was laid off due to Covid.

Ref : Canada Recovery Benefit (CRB) - Canada.ca

How to calculate the 50% reduction :

The 50% reduction is based on your average weekly employment or net self-employment income from the previous year.

For periods in 2020, use either 2019 or the previous 12 months

For periods in 2021, use 2019, 2020, or the previous 12 months

Submitted and request to Honorable Court to consider my eligibility for CRB for the period from October 11, 2020 till October 9, 2021 for the reduction in 50% of Average

Gross bi weekly income(**\$500 to \$650**) from the previous year till March 2020 (date I was laid of due to Covid) (**658.48**) as per CRA Rules and Regulations for the Eligibility for CRB.

The grounds for the application are:

Ref : Canada Recovery Benefit (CRB) - Canada.ca

How to calculate the 50% reduction :

The 50% reduction is based on your average weekly employment or net self-employment income from the previous year.

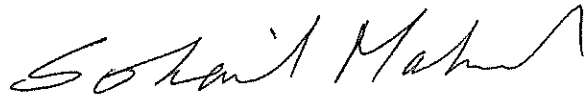
For periods in 2020, use either 2019 or the previous 12 months

For periods in 2021, use 2019, 2020, or the previous 12 months

This application will be supported by the following material:

1. Affidavit, to be sworn
2. Appeal to the decision
3. Details of my Gross bi weekly Salary from Sept 2019 till Sept 2020.
4. Decision of CRA

February 28, 2024



Sohail Mahmood Durrani

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