



No. NEW-S-S-254452
NEW WESTMINSTER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE *JUDICIAL REVIEW PROCEDURE ACT*, RSBC 1996, c 241

BETWEEN:

AIR PASSENGER RIGHTS

PETITIONER

AND:

WESTJET AIRLINES LTD.

RESPONDENT

BEFORE)	THE HONOURABLE)	October 30, 2025
)	JUSTICE SHARMA)	

ORDER MADE AFTER APPLICATION

ON THE PETITION TO THE COURT of the Petitioner Air Passenger Rights coming on for hearing at Vancouver, British Columbia, on March 24-25, 2025 and on hearing Simon Lin, counsel for the Petitioner; and on hearing Michael Dery and Katelyn Chaudhary, counsel for the Respondent; Zara Rahman, counsel for the B.C. Civil Resolution Tribunal (the statutory decision maker of the decision under judicial review), AND on reading the materials and judgment being reserved to this date;

THIS COURT ORDERS that:


1. The Petitioner's Petition, filed on July 29, 2024, is dismissed.
2. The underlying Civil Resolution Tribunal decision, as it pertains to a claim for compensation pursuant to section 19 of the *Air Passenger Protection Regulations* - SOR/2019-150, is quashed.

3. The Respondent is awarded costs of this Petition payable by the Petitioner.
4. This Order may be signed in counterparts and may entered in the Vancouver Registry.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



Simon Lin, Counsel for the Petitioner



Michael Dery, Counsel for the Respondent

BY THE COURT:



Eliza McCullum, Counsel for the B.C.
Civil Resolution Tribunal

Registrar