In the Court of Appeal of Alberta

Citation: Javaid v Javaid, 2026 ABCA 360

Date: 20261110
Docket: 2601-0137AC
Registry: Calgary

Between:

Haseena Javaid,
also known as Haseena Razvan,
also known as Haseena Khokhar

Applicant

- and -

Mohammed Ahsan Javaid

Respondent

Reasons for Decision of
The Honourable Justice Michelle Crighton

Application to Restore Appeal

Reasons for Decision of
The Honourable Justice Michelle Crighton

[1] The respondent opposes the applicant's application to restore an appeal that was struck because the applicant did not file her Factum before the deadline for doing so had expired.

[2] The respondent acknowledges receipt of the applicant's proposed appeal material, but argues the applicant's repeated missed deadlines have required him to respond to successive proceedings about the same costs award thereby adding substantially to his costs.

[3] I am satisfied the applicant has met the test to restore this appeal. As the respondent acknowledges, the applicant's appeal has arguable merit, she acted promptly to cure the lapsed fee waiver which prevented her new evidence application and factum from being filed, and in making this application to restore her appeal. The respondent's concerns regarding what appears to be a pattern of missed deadlines are understandable, but they do not justify refusing the application to restore the appeal.

[4] The application to restore the appeal is granted.

[5] During the hearing, the applicant advised the Court that Registry already has all her appeal documents, implying a belief they had already been filed. They have not. The applicant has until November 13, 2026, at 4:00 pm to file her Application to Admit New Evidence and supporting materials, and her Factum which must be filed in the Court of Appeal Management System (CAMS).

[6] Rule 9.4(2)(c) is invoked, and the Court will prepare the resulting order or judgment.

Application heard on November 4, 2026

Reasons filed at Calgary, Alberta
this 10th day of November, 2026

Crighton J.A.

Appearances:

Applicant H. Javaid, also known as H. Razvan, also known as H. Khokhar

S. Whitehead
for the Respondent