



Upper Tribunal  
(Immigration and Asylum Chamber)

Appeal Number: OA/17553/2012

**THE IMMIGRATION ACTS**

Heard at Field House  
On 20 August 2012

Determination Promulgated  
On 29 August 2013

Before

UPPER TRIBUNAL JUDGE ALLEN

Between

GOLSANA BAHAR SOBNOM

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

**Representation:**

For the Appellant: Mr M A Bhuiyan of Haque & Hausman Solicitors  
For the Respondent: Mr C Avery, Senior Home Office Presenting Officer

**DETERMINATION AND REASONS**

1. This is the appeal of Ms Sobnom against the decision of the Entry Clearance Officer of 13 August 2012 refusing an application under paragraph 281 of HC 395 which she made to enable her to join her husband Mr Ali who is a British citizen.

2. The appeal was dismissed under the Immigration Rules on the basis of maintenance and the judge made calculations which led him to conclude that the income was not enough to provide adequately for maintenance and subsequently issue has been taken with the calculation made by the judge in that regard because there were arrears of rent that required to be paid and so there were two separate payments being made to the landlord.
3. It seems in the end we do not have to go into that issue and the question of whether there was evidence before the judge in relation to that because as ground 2 makes clear, even if the judge's calculation was correct and there was a shortfall of £8 a week, the sponsor had something slightly over £1,240 worth of savings at the time of the application and if one divides that out over the 24 months that would be required to be done then it is clear, as was common ground, that there was enough by some £400 to make up the shortfall and enable the requirements of the Rules on maintenance to be met.
4. As a consequence the appeal succeeds.

Signed

Date

Upper Tribunal Judge Allen