



**Upper Tribunal
(Immigration and Asylum Chamber)**

Appeal Number: VA/22514/2012
VA/22549/2012

THE IMMIGRATION ACTS

**Heard at Bradford
On 18 October 2013**

**Determination
Promulgated
On 22nd October 2013**

Before

**UPPER TRIBUNAL JUDGE
D E TAYLOR**

Between

**ALIYA BI BI
AMIR FATIMA**

Appellant

And

ENTRY CLEARANCE OFFICER

Respondent

Representation:

For the Appellant: no appearance
For the Respondent: Mrs Brewer, HOPO

DECISION AND DIRECTIONS

1. This is the Appellants appeal against the decision of First-tier Tribunal Judge Sarsfield made following a hearing at Bradford on the 18 January

2013, dismissing their appeals against the Respondent's decision to refuse to grant them entry clearance as visitors.

2. The Sponsor wrote to the Tribunal prior to the hearing saying that she was not able to take time off work and would therefore not be able to attend the hearing.
3. The Respondent served a reply defending the determination but Mrs Brewer sensibly acknowledged its deficiencies, in particular the lack of engagement with the evidence of the Sponsor, who attended before Judge Sarsfield. She accepted that the most sensible course would be for the matter to be reheard.
4. The judge erred in law in failing to consider material evidence namely the lengthy and extensive grounds of appeal and the Sponsor's oral evidence upon which he made no findings.
5. This appeal will be reheard at Bradford before a Judge other than Judge Sarsfield.

Signed

Date

Judge of the Upper Tribunal