



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: AA/07962/2012

THE IMMIGRATION ACTS

Heard at Field House
On 28 March 2014

Determination Promulgated

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Before

UPPER TRIBUNAL JUDGE ESHUN

Between

MR DINESH KUMAR CHANDRASEGARA

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr. S Sayeed, Counsel

For the Respondent: Mr. G Jack, HOPO

DETERMINATION AND REASONS

1. The appellant is a citizen of Sri Lanka, born on 19 February 1989. He has been granted permission to appeal the determination of First-tier

Tribunal Judge Suchak dismissing his appeal against the refusal of the respondent to grant him asylum.

2. The appellant was granted permission on two grounds: the judge's treatment of the letter from the Sri Lankan lawyer and his treatment of the medical report on the appellant's scars. Mr. Jack did not concede that the judge had erred in his findings on these issues.
3. Mr. Jack however conceded that the judge's finding at paragraph 80 that "these reports do not add anything to the appellant's claim" does not disclose any reasons as to why the psychiatric report adds nothing to the appellant's claim. Mr. Sayeed agreed and added that this means that the judge's findings are vitiated by this error and the fact finding exercise needs to be re-visited. Mr. Jack agreed that the lack of a proper analysis of the medical evidence has affected the judge's credibility findings.
4. Accordingly, I remit this appeal to Taylor House for re-hearing by a First-tier Judge other than FtTJ Suchak.

Signed
Upper Tribunal Judge Eshun

Date

DIRECTIONS

- **Appeal to be heard on 1 July 2014 at Taylor House**
- **Time Estimate - 3 hours**
- **Appellant is the only witness**
- **Tamil Interpreter required**
- **All documents to be relied on by either party to be submitted 7 days before the hearing.**