



IAC-FH-NL-V1

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

Appeal Number: IA/017111/2013

THE IMMIGRATION ACTS

**Heard at Manchester
On 8 October 2014**

**Determination Promulgated
On 17 November 2014**

Before

UPPER TRIBUNAL JUDGE DAWSON

Between

DRITON MALIQI

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr Ficklin instructed by Mohammed & Co

For the Respondent: Mr G Harrison, Senior Presenting Officer

DISPOSAL OF PROCEEDINGS BY WAY OF CONSENT

1. On hearing from Counsel for the appellant and a Senior Presenting Officer for the respondent and by the consent of the parties

IT IS ORDERED THAT:

- (1) The determination of the First-tier Tribunal dated 13 March 2013 (promulgated 18 March 2013) is set aside on the basis of the application of the post-9 July 2012 Immigration Rules by the Secretary of State for the Home Department in a decision dated 19 December 2013 was unlawful.

(2) By consent, the appellant's application for leave to remain outside the Immigration Rules dated 7 July 2012 remains outstanding with the Secretary of State for the Home Office.

(3) Further considerations will take place in accordance with the Immigration Rules and policy as they stood at the date of application with reference to Part 5A of the Immigration Act 2014.

2. Accordingly this brings to an end the proceedings in the Upper Tribunal.

Signed

Date 13 November 2014

A handwritten signature in blue ink, appearing to read 'Dawson', with a horizontal line extending to the right.

Upper Tribunal Judge Dawson