



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: IA/46226/2013

THE IMMIGRATION ACTS

Heard at Field House
On 13th May, 2014
Signed 14th May, 2014

Determination Promulgated
On 15th May, 2014
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Before

Upper Tribunal Judge Chalkley,

Between

AHMED ALI NEWAZ

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation

For the appellant: None
For the respondent: Mr N Bramble, a Senior Home Office Presenting Officer

DETERMINATION AND REASONS

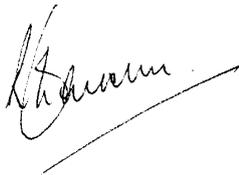
1. The appellant is male, a citizen of Bangladesh and was born on 7th July, 1986.
2. The appellant appeals against the determination of First Tier Tribunal Judge Maller, promulgated on 24th March, 2014 dismissing his appeal against the decision of the respondent, taken on 17th October, 2013 to refuse to vary leave to

remain in the United Kingdom and to remove by way of directions under section 47 of the Immigration, Asylum and Nationality Act, 2006, as amended.

3. Mr Bramble, the Home Office Presenting Officer advised me that on behalf of the Secretary of State for the Home Department it was accepted that the First Tier Tribunal Judge's determination contained an error on a point of law. The judge failed to properly apply *Qureshi (Tier 4 – effect of variation – App C) Pakistan* [2011] UKUT 00412 (IAC).
5. The appellant produced a copy of currency converter page from the internet dated 13th May, 2014 showing that the funds he held of Tk 12,65,090.00 was in excess of £9500. Mr Bramble indicated to me that in the circumstances the appellant was entitled to have his appeal allowed. He agreed to my producing a brief determination allowing the appellant's appeal.
6. I am satisfied that Mr Bramble was entirely correct to agree that the appellant was entitled to have his appeal allowed in all the circumstances. I indicated that I would prepare this short determination recording the agreement between the parties and allowing the respondent's appeal.
7. Having carefully read the determination of the First-tier Tribunal and the grounds of application, I am satisfied that the determination of First Tier Tribunal Judge Mailer does contain an error on a point of law as identified in paragraph 3 above. The making of the previous decision involved the making of an error on a point of law. I set aside the previous decision. My decision is that **the Appellant's appeal is allowed.**

Decision

This appeal is allowed.



Senior Immigration Judge Chalkley