



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

Appeal Number:
IA/53776/2013

THE IMMIGRATION ACTS

Heard at House	Determination Promulgated
On 21 August 2014	On 16 September 2014

Before

Deputy Upper Tribunal Judge Davidge

Between

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Appellant

and

MS ABIGAIL OLABISI HILDA ADUB EMERUWA

Respondent

Representation:

For the Appellant: Mr P. Deller , Senior Home Office Presenting Officer

For the Respondent: Mr A Berry of Counsel, instructed by Charles Russell LLP

DETERMINATION AND REASONS

NOTICE OF APPELLANT'S WITHDRAWAL OF HER CASE

1. At the hearing before me Mr Deller sought permission to withdraw the Appellant's grounds of challenge to the First -tier

decision allowing the appeal because of the particular circumstances of this Appellant.

2. The relevant parts of Rule 17 provides
*“(1) Subject to paragraph (2) a party may give notice of the withdrawal of its case.
(2) Notice of withdrawal will not take effect unless the Upper Tribunal consents to the withdrawal except in relation to an application for permission to appeal.”*
3. I consented to the application, finding the generosity of Mr Deller’s approach appropriate on the factual matrix.
4. Following the withdrawal of the Respondent’s case the determination of the First Tier Tribunal, allowing the Appellants’ appeal on Immigration Rules grounds, stands.

Signed

E Davidge
2014

Date 21 August

Deputy Upper Tribunal Judge