



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

Appeal Numbers: OA/11748/2013  
OA/11777/2013  
OA/11778/2013  
OA/11736/2013

**THE IMMIGRATION ACTS**

**Heard at Field House**

**On 10 June 2014**

**Determination  
Promulgated  
On 3 July 2014**

**Before**

**LORD MATTHEWS  
SITTING AS JUDGE OF THE UPPER TRIBUNAL  
DEPUTY UPPER TRIBUNAL JUDGE DAVIDGE**

**Between**

**MRS SHAZIA MUNIR BHATTI  
MR ABDUL AHAD BHATTI  
MISS ANZALA EMAN BHATTI  
MISS ILSA AIMAN BHATTI**

Appellants

**and**

**ENTRY CLEARANCE OFFICER - ISLAMABAD**

Respondent

**Representation:**

For the Appellants: Mr Muhammad Munir Bhatti, Sponsor  
For the Respondent: Mr L Tarlow

**DETERMINATION AND REASONS**

1. In the first place we are very grateful indeed to Mr Tarlow for a very fair presentation of the case which has made what, on the face of it, was a somewhat difficult arithmetical calculation rather easier for us.

2. The appeal is against a decision of Judge Scobbie of the First-tier Tribunal which was promulgated on 18 March 2014, and the issue before us was whether he was correct in calculating the income and savings of the appellant and her family.
3. The conclusions to which he came showed that the family fell short of the financial sums required in terms of the Immigration Rules. Mr Tarlow very fairly conceded that his calculations involved an element of speculation and for our own part we find it impossible to work out how the various conclusions were reached. That in itself seems to us to be an error of law but furthermore the judge refused to accept certain documentary evidence purely on the basis that he did not accept the sponsor's own word that the documents were submitted with the application. No adverse credibility findings at all were made in the determination and we would have expected some comment on the credibility of the sponsor or at least some reasoning as to why his word was not accepted in that regard. That again seems to us to be an error of law.
4. Mr Tarlow very fairly conceded that he would not resist any submission that an error of law was made. We find that the judge fell into error and we remake the decision. We heard unchallenged evidence from the sponsor as to his financial position. If his evidence is correct then he does in fact meet the financial provisions in terms of the Rules. We do not think it necessary to go into what his financial position is. There was no suggestion by Mr Tarlow that the sponsor does not meet the Rules and we accept what the latter had to say.
5. We allow all the appeals.

Signed H. Matthews

Date

Lord Matthews  
Sitting as a Judge of the Upper Tribunal