



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: OA/17058/2012

THE IMMIGRATION ACTS

Determined at Field House
On 27th March 2014

Determination Promulgated
On 2nd April 2014

Before

UPPER TRIBUNAL JUDGE COKER

Between

FEISAL AHMED ABDULLE

Appellant

And

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

DETERMINATION AND REASONS

1. At the hearing before Deputy Upper Tribunal Judge Rimmington on 25th November 2013 she indicated that on initial view the appeal should be remitted to the First Tier Tribunal because of the perception of bias before the First-tier Tribunal judge who heard the appeal at first instance.
2. By letter dated 22nd January 2014 the respondent accepted this proposal and, no objection having been received by either party to the proposal in directions dated 13th March 2014 that the appeal be remitted to the First-tier Tribunal for hearing *de novo* I set aside the determination of the First-tier Tribunal on the grounds that there was a perception of bias such that the sponsor was impeded in giving evidence. In accordance with the practice Statement 25th September

2012 the appropriate course of action is for this appeal to be heard afresh by the First-tier Tribunal. No findings are preserved.

Conclusions:

The making of the decision of the First-tier Tribunal did involve the making of an error on a point of law.

I set aside the decision

The appeal is remitted to the First-tier Tribunal for re-hearing.

Date 27th March 2014

Judge of the Upper Tribunal Coker