



**Upper Tribunal**

**(Immigration and Asylum Chamber)**

**Appeal Numbers: IA/44455/2014**

**IA/44456/2014**

**IA/44458/2014**

**IA/44459/2014**

**IA/44457/2014**

**THE IMMIGRATION ACTS**

**Determined at Field House**

**On 26 November 2015**

**Decision and Reasons**

**Promulgated**

**On 27 November 2015**

**Before**

**UPPER TRIBUNAL JUDGE O'CONNOR**

**Between**

**Secretary of State for the Home Department**

**and**

**James Mwuara Njuguna**

**Jane Wanjiku Karumbo**

**Sanchez Karumbo**

**Shanice Karumbo**

**Scholes Karumbo**

Appellant

Respondents

**NOTICE OF DECISION**

1. The Secretary of State brings an appeal to the Upper Tribunal against the decision of FTTJ Shergill, allowing the appellants' appeals against decisions to remove them from the UK. Permission to appeal to the Upper Tribunal was granted on the 22 September 2015.

2. The Secretary of State has, by letter dated 13 November 2015, granted the appellants leave to remain outside of the Immigration Rules. The appellants'

section 82 appeals are consequently to be treated as abandoned pursuant to section 104(4A) of the Nationality, Immigration and Asylum Act 2002 from the point in time that the grant of leave was made.

3. This, however, does not bring the proceedings before the Upper Tribunal to an end. The Secretary of State has not withdrawn her appeals before the Upper Tribunal, and although they have attempted to do so, the Respondents cannot withdraw the appeals because they have no appeals before the Upper Tribunal.

4. Given the circumstances of these appeals it is prudent for the Tribunal to bring the proceedings to an end and I do so by dismissing the Secretary of State's appeals in the above referenced cases. Such decision is no reflection on the merits of the case, which I have not considered - it is made in order to dispose of the appeals which, for the reasons given above, have become unnecessary.

Signed

A handwritten signature in black ink, appearing to read 'M. O'Connor', written over a horizontal line.

Upper Tribunal Judge O'Connor  
Date: 26 November 2015