



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

Appeal Number: IA/17721/2014

THE IMMIGRATION ACTS

**Heard at Birmingham Employment Decision & Reasons Promulgated
Centre**

On 5th April 2016

On 12th April 2016

Before

DEPUTY UPPER TRIBUNAL JUDGE McCARTHY

Between

**NASSER MUSSA ABDALLAH
(NO ANONYMITY ORDER)**

Appellant

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Appellant in person

For the Respondent: Mr A McVeety, Senior Home Office Presenting Officer

DECISION: APPEAL WITHDRAWN

1. On 22 October 2015 I found there was an error on a point of law in the decision and reasons statement of First-tier Tribunal Judge Pooler that was sent out on 31 October 2014 and I set that decision aside.
2. Because it had not been possible to remake the decision at that time, the Tribunal arrange a further hearing. Shortly before the resumed hearing, the Tribunal was informed by Mr D Mills (a Senior Presenting Officer) that the Home Office was withdrawing the decision originally appealed against because the appellant had provided a current and satisfactory English

language certificate. On the basis of the new evidence, the Home Office would grant the appellant leave as all the requirements of paragraph 284 of the Immigration Rules were met. In such circumstances, the Tribunal was invited to treat the appeal as withdrawn.

3. Mr McVeety confirmed these facts and had nothing to add.
4. The appellant represented himself at the hearing. I explained that as the Home Office had conceded their opposition to the case it was open to me to treat the appeal as withdrawn as per rule 17 of the 2008 Upper Tribunal Procedure Rules. The appellant consented to this approach, recognising that there was no need to pursue the appeal because he had been notified that he would be granted leave.
5. In such circumstances, given the agreement of the parties and the reasons for that agreement, I consent to the appeal being withdrawn.

Decision

Appeal withdrawn by consent.

Signed

Date

Judge McCarthy
Deputy Judge of the Upper Tribunal