



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

Appeal Number: OA/00711/2015

**THE IMMIGRATION ACTS**

**No hearing  
6 April 2016**

**Decision and  
Promulgated  
On 19 April 2016**

**Reasons**

**Before**

**MR C M G OCKELTON, VICE PRESIDENT**

**Between**

**THE ENTRY CLEARANCE OFFICE, ISLAMABAD**

**and**

**NASIR GUL**

Appellant

Respondent

**DETERMINATION AND REASONS**

1. The respondent, whom I shall call “the claimant”, appealed to the First-tier Tribunal against the decision of the Entry Clearance Officer refusing him entry clearance as a partner. Judge Hawden-Beal allowed his appeal. On application the respondent was granted permission to appeal to this Tribunal and accordingly the Tribunal stands seised of that appeal.

2. The claimant's solicitors have written to the Tribunal narrating the grant of entry clearance to the claimant and requesting withdrawal of "Mr Gul's appeal".
3. The present appeal is, as noted above, by the Entry Clearance Officer. As the claimant's solicitors must know, the provisions of rule 17 of the Upper Tribunal Rules allow a party to withdraw its case and I assume that that is what they meant because there is nothing else they could have been asking.
4. I accept the withdrawal of the claimant's case. The Entry Clearance Officer's appeal is unresisted and I formally allow it. There is no proper basis for saying that the grounds are without merit and I substitute a decision dismissing the appeal against the Entry Clearance Officer's decision, although I note that there has now been a grant of entry clearance, whether on the present or a subsequent application.

C. M. G. OCKELTON  
VICE PRESIDENT OF THE UPPER TRIBUNAL  
IMMIGRATION AND ASYLUM CHAMBER  
Date: 6 April 2016