



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

Appeal Number: PA/12545/2016

**THE IMMIGRATION ACTS**

**Heard at Field House  
On 8<sup>th</sup> June 2017**

**Decision and Reasons Promulgated  
On 9<sup>th</sup> June 2017**

**Before**

**UPPER TRIBUNAL JUDGE COKER**

**Between**

**SELIM REZK ABDEL MOTTALEB ALI**

Appellant

**And**

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

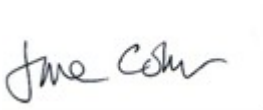
For the Appellant: Ms P Yong, instructed by Wimbeldon Solicitors  
For the Respondent: Mr T Melvin, Senior Home Office Presenting Officer

**DETERMINATION AND REASONS**

1. First-tier Tribunal Judge Chana dismissed the appellant's appeal against the refusal by the respondent of his asylum and humanitarian appeal.

2. Permission to appeal that decision was granted by designated First-tier Tribunal Judge I Murray who identified evidence that was before Judge Chana which should have, but had not, been considered.
3. In her Rule 24 response the respondent stated she did not oppose the appeal given the failure of Judge Chana to refer to any of the medical reports and invited the Upper Tribunal to allow the appeal and remit the appeal against the respondent's decision to the First-tier Tribunal to be heard by an First-tier Tribunal judge other than judge Chana.
4. Having considered the decision of Judge Chana and the evidence that was before her and not considered by her I am satisfied there is a material error of law in her decision.
5. I set aside the decision and remit the hearing to the First-tier Tribunal for a fresh decision, no findings preserved.

Date 8<sup>th</sup> June 2017

A rectangular box containing a handwritten signature in cursive script, which appears to read "Jane Coker".

Upper Tribunal Judge Coker