



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

Appeal no: **EA/03897/2015**

**THE IMMIGRATION ACTS**

**Considered at Field House**

**Decision & Reasons  
Promulgated**

**On 23 January 2018**

**On 24 January 2018**

Before:  
**Upper Tribunal Judge Pitt**

Between:  
Izzath Mohamed Fuard

Appellant

and

**Secretary of State for the Home Department**

Respondent

**Decision and Reasons**

1. The Tribunal issued a direction on 15 December 2017 requesting that the parties provide written reasons within 7 days as to why an error of law should not be found and the appeal remitted to the First-tier Tribunal following Khan v SSHD [2017] EWCA Civ 1755.
2. No response was received from either party within 7 days and the Tribunal therefore finds an error of law such that the decision of First-tier Tribunal Judge S Meah should be set aside and remitted to the First-tier Tribunal to be re-made *de novo*.

Signed:   
**Upper Tribunal Judge Pitt**

**Dated: 23 January 2018**