



**Upper Tribunal
(Immigration and Asylum Chamber)**
IA/34725/2015

Appeal Number:

THE IMMIGRATION ACTS

**At Field House
On 20 March 2018**

**Decision Promulgated
On 21 March 2018**

Before

UPPER TRIBUNAL JUDGE BRUCE

Between

**Rana Muhammad Usman
(no anonymity direction made)**

Appellant

And

Secretary of State for the Home Department

Respondent

DECISION AND REASONS

1. The Appellant is a national of Pakistan born on the 28th September 1989. On the 8th June 2017 his appeal was dismissed by the First-tier Tribunal on human rights grounds.
2. Permission was granted by Upper Tribunal Grubb on the 15th February 2018. Judge Grubb considered it arguable that there had been a procedural unfairness in the hearing before the First-tier Tribunal. It appeared from the file that unbeknownst to the Judge, the Appellant had made an application for an adjournment on the grounds of ill-health.
3. By way of Rule 24 response dated the 13th March 2018 the Respondent indicated that she accepted that there had been a

procedural irregularity. She invited the Upper Tribunal to set the decision of the First-tier Tribunal aside and to remit the matter for hearing *de novo* before a differently constituted First-tier Tribunal.

4. The decision of the First-tier Tribunal (Judge J Bartlett) is therefore set aside by consent. The matter shall be remitted to the First-tier Tribunal for hearing *de novo* before a judge other than Judge Bartlett.
5. I was not asked to make an order for anonymity and on the facts I see no reason to do so.

A handwritten signature in black ink, appearing to read 'CBE', written in a cursive style.

Upper Tribunal Judge Bruce
20th March 2018