



Upper Tribunal
(Asylum and Immigration Chamber)

Appeal Number: OA/10176/2015

THE IMMIGRATION ACTS

Heard at Field House
On 4 May 2018

Decision & Reasons Promulgated
On 24 May 2018

Before

DEPUTY JUDGE OF THE UPPER TRIBUNAL CHANA

Between

MR SIMAB CHUHAN

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation

For the appellant: no appearance

For the respondent: Ms Z Kiss, Senior Presenting Officer

DECISION

1. The appellant is a citizen of Pakistan born on 19 March 1991. He appealed against the decision of the respondent dated 23 September 2015 to refuse to vary his leave to remain in the United Kingdom on the basis of his long residence pursuant to paragraph 276B of the Immigration Rules.
2. First-tier Tribunal Judge Dean dismissed the appellant's appeal in a decision promulgated on 3 August 2017. Permission to appeal to the Upper Tribunal was granted by First-tier Tribunal Judge Grant-Hutchinson on 29 January 2018.

3. By way of directions by Upper Tribunal Judge War on 13 March 2018 it was stated that the appellant left the United Kingdom on 14 October 2015 as a voluntary departure.
4. The Nationality Immigration and Asylum Act 2002 was amended by the Immigration Act 2014. However, both before and after the amendments to the appeal provisions of the 2002 Act the Tribunal takes the view that there is no jurisdiction in this matter if the appellant leaves the country.
5. At the previous hearing it was stated that as the appellant is underrepresented the Tribunal has decided to adjourn these proceedings to enable the appellant to respond to the matter raised. Absent a response within 28 days Tribunal will dispose of the proceedings on the material before it.
6. At the hearing there was no response from the appellant. As 28 days have passed, I will dispose of the matter and find that there I have no jurisdiction to consider the appeal as the appellant has left the country.
7. This therefore disposes of the matter.

DECISION

Appeal dismissed

Signed by

Dated this this 20th day of May 2018

A Deputy Judge of the Upper Tribunal
Ms S Chana