



**Upper Tribunal
(Immigration and Asylum Chamber)** Appeal Number: RP/00146/2018

THE IMMIGRATION ACTS

**Heard at Field House
On 7 August 2019**

**Decision & Reasons
Promulgated
On 15 August 2019**

Before

**UPPER TRIBUNAL JUDGE COKER
UPPER TRIBUNAL JUDGE SHERIDAN**

Between

**N K A
(ANONYMITY DIRECTION MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr A. Eaton, Counsel instructed by Wilson Solicitors LLP

For the Respondent: Mr T Lindsay, Senior Home Office Presenting Officer

CONSENT ORDER

1. Pursuant to Rule 39 of the Tribunal Procedure (Upper Tribunal) Rules 2008 and by the consent of the parties the following order is made:
 - a. Upon the parties agreeing that the decision of First-Tier Tribunal Judge Chohan promulgated on 10 May 2019 discloses a material error of law and should be set aside.

- b. And upon the parties agreeing that the appeal should be remitted to the First-tier Tribunal.
- c. The decision of the First-tier Tribunal is set aside for legal error and the appeal is remitted to the First-tier Tribunal to be made afresh by a different judge with no findings preserved.

Direction Regarding Anonymity - Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008

Unless and until a Tribunal or court directs otherwise, the appellant is granted anonymity. No report of these proceedings shall directly or indirectly identify him or any member of his family. This direction applies both to the appellant and to the respondent. Failure to comply with this direction could lead to contempt of court proceedings.

Signed



Deputy Upper Tribunal Judge
Sheridan

Dated: 8 August 2019