



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: PA/01347/2020 (V)

THE IMMIGRATION ACTS

Heard at Cardiff Civil Justice Centre
Working Remotely by Skype for Business
On 18 March 2021

Decision & Reasons Promulgated
On 26 March 2021

Before

UPPER TRIBUNAL JUDGE GRUBB

Between

D S
(Anonymity Direction in force)

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr A S Islam, Fountain Solicitors

For the Respondent: Mr M Diwyncz, Senior Home Office Presenting Officer

NOTICE OF DECISION

1. Both subparagraphs of rule 40(3) of the Tribunal Procedure (Upper Tribunal) Rules 2008 (SI 2008/2698 as amended) apply to this decision.
2. The decision of the First-tier Tribunal sent out on 17 March 2020 is erroneous in law. I set it aside.
3. The appeal is remitted to be determined by the First-tier Tribunal *de novo* at a hearing before a judge other than Judge Trevaskis.

Signed

A Grubb
Judge of the Upper Tribunal

Date 18 March 2021