



IN THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM
CHAMBER

Case No: UI-2021-001933
First-tier Tribunal No:
PA/51027/2021;
IA/06297/2021

THE IMMIGRATION ACTS

Decision & Reasons Issued:
On the 04 April 2023

Before

UPPER TRIBUNAL JUDGE SHERIDAN
DEPUTY UPPER TRIBUNAL JUDGE BOWLER

Between

H S K
(ANONYMITY DIRECTION CONFIRMED)

Appellant

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation

For the Appellant: Ms K Wass, Counsel instructed by Quality Solicitors A-Z Law

For the Respondent: Mr S Walker, Senior Home Office Presenting Officer

Heard at Field House on 24 March 2023

CONSENT ORDER

Background

1. The Appellant appeals against a decision of Judge of the First-tier Tribunal Beg (“the judge”) dated 22 April 2022 dismissing his protection and human rights appeal.
2. At the error of law hearing Mr Walker provided a Rule 24 response which was dated 22 June 2022, but which had not been received by the Tribunal or the Appellant. In that the Respondent conceded that

the application for permission to appeal would not be opposed and invited the Tribunal to set aside the judge's decision. Mr Walker and Ms Wass agreed that the appeal should be remitted to the First-tier Tribunal to be decided afresh by a judge other than Judge Beg with no findings preserved.

3. The parties agreed to dispose of the proceedings by way of a consent order.

Decision

4. Pursuant to Rules 39 and 40(3) of the Tribunal Procedure (Upper Tribunal) Rules 2008 we make the following order:

The decision of the First-tier Tribunal is set aside and the appeal is remitted to the First-tier Tribunal to be decided afresh by a judge other than Judge Beg with no findings preserved.

Signed

T. Bowler

Deputy Upper Tribunal Judge Bowler Dated: 24 March 2022