



**Upper Tribunal
(Immigration and Asylum Chamber)**

**Appeal Number:
UI-2022-004877 (RP/00007/2021)
UI-2022-004878 (HU/00844/2021)**

THE IMMIGRATION ACTS

**Decision & Reasons Issued:
On the 16 May 2023**

Before

UPPER TRIBUNAL JUDGE PITT

Between

Secretary of State for the Home Department

Appellant

and

**Malik Abdel Ameer Al-Fadhi
(NO ANONYMITY DIRECTION MADE)**

Respondent

Heard at Field House on 12 April 2023

DECISION AND REASONS

1. This is an appeal against the decision issued on 2 May 2022 of First-tier Tribunal Judge Rayner which allowed the appellant's appeal against revocation of protection status and refusal of an application for indefinite leave to remain.
2. For the purposes of this decision, I refer to the Secretary of State for the Home Department as the respondent and to Mr Al-Fadhi as the appellant, reflecting their positions before the First-tier Tribunal.
3. The appellant is a Kuwaiti Bidoon and was born on 1 January 1950.
4. The First-tier Tribunal found that the appellant had shown that he was a Kuwaiti Bidoon and not Iraqi and allowed the appeal.

5. The Upper Tribunal granted permission to appeal against the decision of the First-tier Tribunal on 17 January 2023.
6. The appeal was listed for 13 April 2023.
7. On 6 April 2023 the respondent wrote to the Upper Tribunal indicating that:

“on 4 October 2022 the SSHD reversed her decision to revoke the appellant’s status and arranged to implement the allowed First-tier Tribunal decision of 5 May 2022 (copy of letter attached). Therefore, the SSHD is no longer pursuing her appeal.

Is it possible to cancel the scheduled hearing and to treat this appeal as abandoned?”

8. Nothing before the Upper Tribunal shows that leave has been granted to the appellant which might allow for the appeal to be treated as abandoned. The Upper Tribunal therefore considers that the correct disposal of this matter is to find no error in the decision of the First-tier Tribunal and allow that decision to stand.

Notice of Decision

9. The decision of the First-tier Tribunal does not disclose an error on a point of law and shall stand.

Signed: S Pitt
Upper Tribunal Judge Pitt

Date: 12 April 2023