



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

Case No: UI-2023-002308  
First-tier Tribunal No: EA/50156/2023

**THE IMMIGRATION ACTS**

**Done at Field House  
On 4 October 2023**

**Decision & Reasons Promulgated**

16<sup>th</sup> October 2023

**Before**

**UPPER TRIBUNAL JUDGE PERKINS**

**Between**

**SARABJEET SINGH**

Appellant

**and**

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**DECISION AND REASONS**

1. Pursuant to rule 34 of the Tribunal Procedure (Upper Tribunal) Rules 2008 I have determined this appeal without a hearing.
2. The Respondent agrees that the First-tier Tribunal erred by not considering all of the documents including witness statements.
3. The parties were invited to indicate if either of them objected to an order remitting the case to be redetermined in the First-tier Tribunal. The Appellant consented. The Respondent did not act in response to the invitation but, as it was prompted by the Rule 24 notice, their consent can be inferred.
4. In the circumstances I find that the First-tier Tribunal erred in law. I set aside its decision and I direct that the appeal be redetermined in the First-tier Tribunal.

Jonathan Perkins

Signed  
Jonathan Perkins  
Judge of the Upper Tribunal

Dated 4 October 2023