



**IN THE UPPER TRIBUNAL**  
**IMMIGRATION AND ASYLUM CHAMBER**

Case No: UI-2024-000480  
UI-2024-000479  
First-tier Tribunal No: EU/52427/2023  
EU/52426/2023

**THE IMMIGRATION ACTS**

**Decision & Reasons Issued:  
On 30 December 2024**

**Before**

**UPPER TRIBUNAL JUDGE LINDSLEY  
DEPUTY UPPER TRIBUNAL JUDGE GILL**

**Between**

**BHAG NOOR (1)  
MUHAMMAD ZAYAN KHAN (2)  
(NO ANONYMITY ORDER MADE)**

Appellant

**and**

**ENTRY CLEARANCE OFFICER**

Respondent

**Representation:**

For the Appellant: Mr A Alam, of Counsel instructed by Pearl Valley Solicitors Limited

For the Respondent: Ms J Isherwood, Senior Home Office Presenting Officer

**Interpretation:**

Ms A-S Luca in the Romanian language

Ms S Mahmood in Urdu

**Heard at Field House on 11<sup>th</sup> December 2024**

**DECISION AND REASONS**

*Introduction*

1. The first appellant is the mother-in-law of the relevant EEA citizen sponsor (Mrs Veronica Khan Sandru, a Romanian national). The second appellant is step-son of the relevant EEA citizen sponsor. The sponsor and her husband, Mr Muhammad Zahidullah Khan (the first appellant's son and the second appellant's father), were granted Indefinite Leave to Remain

(ILR) on 24 September 2019 and 01 September 2020 respectively. The first appellant was born in 1944 and the second appellant in 2000.

2. The appellants appealed decisions made by entry clearance officers to refuse their applications for entry clearance as the dependent family members of a relevant EEA citizen with reference to Appendix EU (Family Permit) of the immigration rules. The decision in respect of the first appellant was made on 04 April 2023. The decision in respect of the second appellant was made on 24 March 2024.
3. The appellants had a right of appeal against the decisions under The Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020 ('the CRA Regulations 2020'). The available grounds of appeal were that:
  - (i) the decision breaches any rights under the Withdrawal Agreement, the EEA EFTA Separation Agreement, or the Swiss Citizens Rights Agreement; and
  - (ii) the decision is not in accordance with the immigration rules under which it was made.
4. First-tier Tribunal Judge Scullion ('the judge') dismissed the appeal in a decision sent on 12 January 2024. Permission to appeal was granted and Upper Tribunal Judge Canavan found that the First-tier Tribunal had erred in law for the reasons that are set out in her decision which is appended to our decision as Annex A. She set aside the decision and all of the findings of the First-tier Tribunal. The matter now comes before us pursuant to a transfer order to remake the decision. It was agreed by the parties that the key issue to determine is whether the appellants have shown on the balance of probabilities that they are dependent on their EEA sponsor for their essential living needs. It was also agreed by both parties that the starting point for our decision is the decision of Judge of the First-tier Tribunal Young-Harry dated 6<sup>th</sup> July 2022.

#### *Evidence & Submissions - Remaking*

5. The key evidence of the sponsor Veronica Khan Sandru and her husband Muhammad Zahidullah Khan is, in summary, as follows. Ms Sandru has been providing money for the appellants for their essential living needs for a long time, and that they have provided a schedule of money transfers and remittances for the period May 2018 to February 2023. Prior to May 2021 the transfers were in the name of Daud Khan and Muhammad Arshad Khan, who are Muhammad Zahidullah Khan's brothers, but after this time they have been made to the second appellant as he became an adult and thus able to receive the transfers for himself and his grandmother (the second appellant). Muhammad Arshad Khan spent some time living in Qatar in the period 2018 to 2020 for work but is now based in Pakistan. The transfers were usually addressed to the appellants or Daud Khan or

Muhammad Arshad Khan in the village of Koh Kot, which is the village where the appellants live with Daud Khan, in Azad Kashmir, but sometimes to Islamabad when this suited the second appellant or Muhammad Arshad Khan as they were on a visit to Muhammad Hafiz Khan, who is Muhammad Zahidullah Khan's older brother, who lives in Islamabad. The village of Koh Kot is about 60 or 70km from Islamabad. Muhammad Arshad Khan generally lives in another village about 10km from Koh Kot and sees the appellants about once a week. The transfers have largely been dealt with by Ms Sandru as she has more time, but she discusses them with her husband and so they are both aware of what is happening. It is possible to pick up the money anywhere in Pakistan with this type of transfer, whatever the address given for the recipient, in any case.

6. The appellants have lived with Daud Khan, bar the time the second appellant was at university when he lived in hostel accommodation called the Shining Star Boys Hostel. The appellants have no other source of income and therefore rely upon the sponsors for all of their essential needs: the first appellant is 80 years old and a widow; the second appellant was a university student studying for a degree in sociology at the University of Poonch in Kashmir, but has just finished his studies. Funds were sent to the second appellant to pay for his hostel at university, his food, travel, clothing and university fees whilst he was studying, and currently to support him. The funds for the first appellant are for her living expenses as an unwell elderly woman. The sponsors have not provided documentary evidence regarding most of the expenses of the appellants because for the most part receipts are not available as they live in a cash economy in a mountain village. The sponsor had not understood that a schedule of expenses was needed. There is no way they can absolutely demonstrate with documentary evidence that the funds they send are applied for the essential needs of the appellants but their oral evidence is that this is the case as the appellants have no other source of income. With respect to the amount of money they send this is simply determined by the requests of the appellants to send funds for their needs, and is about £200 a month.
7. Veronica Khan Sandru has worked as a community nurse with HomeLink Healthcare Limited since December 2021 and Muhammad Zahidullah Khan works as a self-employed private hire driver. They married on 23<sup>rd</sup> June 2013. The second appellant is Mr Khan's son from his first marriage to Ms Rukhsana Zahid whom he divorced in 2009. His second son from this relationship was granted an EUSS family permit to enter the UK on 11<sup>th</sup> December 2021. Muhammad Zahidullah Khan has five brothers and one sister. His brother Daud Khan did not provide details of his income, which is a good income for his family, because it was not thought that this was relevant. The sponsor denies sending money to financially support Daud Khan and Muhammad Arshad Khan.

8. A statement from Mr Daud Khan, brother of Muhammad Zahidullah Khan, says that he is unable to support the appellants because he works as a government employee and has a wife and three children to support. He says that he and his other brothers are struggling to support their own households. He confirms that the sponsor has been making remittances for a long period and provides for all of the appellants essential living needs. He confirms that until May 2021 the remittances came through him to the appellants but that since that time they go directly to the second appellant.
9. Ms Isherwood relied upon the refusal decisions and argues, in short summary, that the appeal should be dismissed for the following reasons. It is argued that although it is accepted that the sponsors have made the remittances it is not accepted that the appellants have shown that the money has gone to them or that the money meets their essential living needs. It is argued that the starting point is the decision of Judge Young-Harry; and that decision found that there was insufficient evidence of the second appellant's circumstances and of his expenditure. It is argued that this remains the same today. There is no schedule of expenses and no receipts, and no paper trail showing that the funds sent to Pakistan are applied to the expenses of the appellants. It is argued that the sponsors have given inconsistent evidence on a number of points: Veronica Khan Sandu said she did not send money to Muhammad Arshad Khan, and Muhammad Zahidullah Khan says that she did the transfers, and the documentary evidence is that such transfers were made to him. It is argued that there is an inconsistency between Muhammad Zahidullah Khan's evidence that the second appellant only occasionally went to Islamabad and the evidence that transfers were made there when he was visiting and the fact of multiple transfers being made to Islamabad in 2022. Further Muhammad Zahidullah Khan said that his brother, Daud Khan, had a good income for his family but Daud himself said that he is struggling financially.
10. Mr Alam argues for the appellants that they are entitled to succeed in this appeal, in short summary, for the following reasons. It is argued that the starting point is that of the decision of Judge Young-Harry, and that this decision dismissed the appeal of the second appellant because of a lack of evidence of money transfers, there being only four provided at that point in time. This has now been addressed and the money transfer history is accepted by the respondent. Judge Young-Harry made no adverse credibility findings against the sponsor but instead found there was no evidence of continuous dependency, which is not the applicable test in this appeal. Mr Alam argues that the oral evidence before the Upper Tribunal should be found to be credible and to demonstrate that the EEA sponsor is providing for the appellants essential living needs. It is argued that the issue of the visits to Islamabad is a confusion not an inconsistency. As the money can be accessed from any bank in Pakistan, as per the receipts, there is no necessary correlation between the address for the beneficiary

and the second appellant being in Islamabad, particularly as sometimes the address of the village is given as “Koh Kot, Islamabad” - thus Islamabad appearing on a receipt could either mean the second appellant was in Islamabad to collect the money or that he was in the village and that was a short form address for the village. It is totally plausible, when the facts are looked at holistically, that the EEA sponsor supports the appellants as the first appellant is her very elderly and unwell widowed mother-in-law and the second appellant is her step-son, and thus they are very close relatives and further both are very plausibly without another income given their stage of life. There are receipts where this is reasonable to expect them: for university fees, university accommodation and some clothing. It is not reasonable to expect a paper trail or receipts in a cash economy situation in a rural village in Pakistan.

11. At the end of the hearing we reserved our decision.

### *Conclusions - Remaking*

12. The test for dependency in an EEA context as set out in Reyes (EEA Regs: dependency) [2013] UKUT 314 (IAC) and the guidance is as follows: “First, the test of dependency is a purely factual test. Second, the Court envisages that questions of dependency must not be reduced to a bare calculation of financial dependency but should be construed broadly to involve a holistic examination of a number of factors, including financial, physical and social conditions, so as to establish whether there is dependence that is genuine. The essential focus has to be on the nature of the relationship concerned and on whether it is one characterised by a situation of dependence based on an examination of all the factual circumstances, bearing in mind the underlying objective of maintaining the unity of the family. It seems to us that the need for a wide-ranging fact-specific approach is indeed enjoined by the Court of Appeal in SM (India): see in particular Sullivan LJ’s observations at [27]-[28]. Third, it is clear from the wording of both Article 2.2 and regulation 7(1) that the test is one of present, not past dependency. Both provisions employ the present tense (Article 2.2(b) and (c) refer to family members who “are dependants” or who are “dependent”; regulation 7(c) refers to “dependent direct relatives...”). Fourth (and this may have relevance to what is understood by present dependency), interpretation of the meaning of the term must be such as not to deprive that provision of its effectiveness.”
13. The decision of Judge of the First-tier Tribunal Young-Harry is our starting point. This decision dismisses the second appellant’s appeal on the basis that he had not shown he was dependent on the sponsor. It was accepted that money was sent by the EEA sponsor via Daud Khan for the benefit of the second appellant but only four remittance receipts had been provided to the First-tier Tribunal and it was therefore not accepted that the appellant had been dependent on the sponsor for the claimed nine years for his essential needs, and that there was insufficient evidence to

establish the appellant had been “continuously dependent”. We note, as cited above, that Reyes makes plain that the issue to determine before us is present dependency. As Mr Alam has submitted there is no adverse credibility finding made against the sponsors: the appeal was dismissed simply because on the totality of the evidence the test was not met.

14. We note that the respondent accepts that the appellants have provided money transfer receipts for money sent by the EEA sponsor to the second appellant, Daud Khan and Muhammad Arshad Khan for the period May 2018 to February 2023. Additional money transfer receipts from the EEA sponsor to the second appellant for the period 2023-2024 have been filed and served for this hearing. We find that the sponsor has transferred money regularly to Pakistan, and that from 2021 to the current time this has been sent to the second appellant. The average amount transferred each month for the past 12 months is £225 a month to be picked up in cash from any bank. We are satisfied that the sponsor Veronica Khan Sandru has sufficient funds to have sent this amount as she earns net pay of over £2000 a month, as set out in her payslips.
15. From the documents we are satisfied that the second appellant has shown to have been a university student between 2020 and October 2024, having regard to the the letter from the Department of Sociology at the University of Poonch Rawalakot, the online admission form and receipts from the university showing that he paid the fees himself via cash deposits. It is also clear that whilst at university he paid monthly fees to stay and receive food at the Shining Star Boys Hostel in Rawalakot, and again from the receipts it appears he paid these fees himself. The other receipts provided are for a laptop computer in November 2022 and some clothing. We are satisfied on the balance of probabilities that the second appellant has been a university student during this period of time, and previously was a school pupil. We note that the first appellant is an 80 years old widow. We are satisfied in all of the circumstances that neither of the appellants has an income of their own, and that it is therefore the case that another person is providing for their essential living needs.
16. As Ms Isherwood has observed there are few receipts, there is no paper trail and no schedule of expenses is provided. The submission for the appellants is essentially that funds were sent as and when needed by the sponsor, adding up to approximately £200 a month, and that the EEA sponsor did not require documentation of expenses as it was not possible to obtain receipts for most things as they were bought from markets in a cash economy. Whether it is shown that the appellants are dependent on the EEA sponsor for their essential living needs therefore comes down to a consideration as to whether the evidence that this is the case from the EEA sponsor and her husband is credible.
17. Ms Isherwood has argued that the evidence of the sponsor and her husband is not credible due to inconsistencies. We agree with Mr Alam’s

submission about the addresses on the money transfer receipts not disclosing a discrepancy. We accept that Islamabad entered as the beneficiary address could either mean that the beneficiary, and thus after May 2021 the second appellant, was in Islamabad or it could be a short form for the village address as this was the largest town near the village. Therefore Islamabad appearing on the transfer receipt as the beneficiary address is not indicative of the second appellant being in Islamabad, and thus there is no inconsistency with the evidence of Muhammad Zahidullah Khan that he was only seldom there visiting his uncle. The evidence of the EEA sponsor was that she did not send money to Muhammad Arshad Khan, and there are receipts showing money was sent to him in 2020 and early 2021. This is therefore an inconsistency. We find however that this was a simple error on the sponsor's part: prior to 2020 she had sent money to Daud Khan and since May 2021 to the second appellant. She has therefore sent money for far longer periods to Daud Khan and the second appellant, and it is therefore plausible that she might have forgotten that she sent money to Muhammad Arshad Khan for this relatively short period. We therefore do not find that this is an inconsistency on which it would be proper to find that her evidence is unreliable. We do not find that there is a material inconsistency between the evidence as to the income of Daud Khan: his brother Muhammad Zahidullah Khan says that he had a good amount of income to support himself, Daud says that he is a permanent government employee who is not able to bear the expenses of the appellants because he is only just earning enough to cover the expenses of his family of five. There is a difference in emphasis but the evidence is ultimately the same: Daud can support his own family sufficiently but not the appellants.

18. We observe that even if the sponsor and her husband had created a schedule of expenses and shown that they correlated to the amount of money sent to the appellants in Pakistan it would essentially come down to an assessment on our part as to whether their evidence is credible as we accept in rural Pakistan that receipts will not exist for most items, and that most items will be paid for in cash meaning that there can be no paper trail linking the funds sent to the appellants to their purchasing of essential items. We note that no adverse credibility finding was made by Judge Young-Harry. We note the direction in Reyes to make a holistic consideration based on all of the circumstances.
19. We find that the evidence of the EEA sponsor and her husband is credible for the following reasons. It was given in a careful manner, with both witnesses doing what we assess was their best to assist the Upper Tribunal, qualifying their evidence when they were unsure. We find that the evidence given was very largely consistent with the documentary evidence provided, the other witness statements and was wholly plausible. For instance the oral evidence of Muhammad Zahidullah Khan with respect to when his brother Muhammad Arshad Khan was working in Qatar and when he returned to Pakistan is consistent with the years when he was the

named recipient of the money transfers. We find that it would be highly likely that the EEA sponsor would provide for the essential living needs for her step-son at the stage in his life when he is a student and just emerging into the adult world, and also for her aged widowed mother-in-law in a society such as Pakistan where support for those without financial resources is overwhelmingly through family. We also find that it would be more likely that she would support these close relatives through marriage as she is earning reasonable well in the UK and so very likely to be earning more than extended family working in Pakistan.

20. We therefore find that the appellants have shown on the balance of probabilities that they are dependent on the EEA sponsor for their essential living needs as per the evidence of the witnesses: the EEA sponsor and her husband Muhammad Zahidullah Khan. In summary, it has been accepted by the respondent that the EEA sponsor made regular transfers to Pakistan. We have found that the credible evidence of the sponsor and her husband together with receipts relating to the second appellant's university fees and accommodation and food for a hostel, plus for some clothing and a laptop computer, suffices to show that these funds have been applied for the essential living needs of the appellants from 2018 to the present day.

### **Notice of Decision**

The First-tier Tribunal decision involved the making of an error on a point of law. The decision of the First-tier Tribunal and all of the findings was set aside by Upper Tribunal Judge Canavan. We remake the decision by allowing the appeal under the Immigration Rules.

**Fiona Lindsley**  
Judge of the Upper Tribunal  
Immigration and Asylum Chamber  
18<sup>th</sup> December 2024



## **Annex A: Error of Law Decision**

### **DECISION AND REASONS**

1. The first appellant is the mother in law of the relevant EEA citizen sponsor (Mrs Veronica Khan Sandru, a Romanian national). The second appellant is step-son of the relevant EEA citizen sponsor. The sponsor and her husband, Mr Muhammad Zahidullah Khan (the first appellant's son and the second appellant's father), were both granted Indefinite Leave to Remain (ILR) on 24 September 2019 and 01 September 2020 respectively.
2. The appellants appealed decisions made by entry clearance officers to refuse their applications for entry clearance as the dependent family members of a relevant EEA citizen with reference to Appendix EU (Family Permit) of the immigration rules. The decision in respect of the first appellant was made on 04 April 2023. The decision in respect of the second appellant was made on 24 March 2024.
3. The appellants had a right of appeal against the decisions under The Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020 ('the CRA Regulations 2020'). The available grounds of appeal were that:
  - (i) the decision breaches any rights under the Withdrawal Agreement, the EEA EFTA Separation Agreement, or the Swiss Citizens Rights Agreement; and
  - (ii) the decision is not in accordance with the immigration rules under which it was made.
4. First-tier Tribunal Judge Scullion ('the judge') dismissed the appeal in a decision sent on 12 January 2024. The judge took as his starting point an earlier decision made by First-tier Tribunal Judge Young-Harry dated 06 July 2022 relating to a previous appeal in the case of the second appellant. The judge was not satisfied that the appellants had produced sufficient evidence to show that they were dependent on the relevant EEA citizen sponsor to meet their essential living needs.
5. The appellants applied for permission to appeal to the Upper Tribunal. The errors of law asserted in the grounds are not clearly particularised. In so far as points can be discerned from the submissions the following points were raised:
  - (i) The judge found at [18] that the sponsor's brother in law (with whom the appellants live in Pakistan, save for the second appellant stays in a hostel during term time at university) worked, but his work was inconsistent and was not sufficient to meet all the essential needs of his wife, two children and the appellants. The ground asserted that: 'It therefore follows that he would not be able to support the Appellants and that financial support would be for basis (sic) essentials'. The judge's finding at [20], that there was limited evidence of the brother in law's income and expenditure, was inconsistent with the finding at [18].
  - (ii) The judge failed to consider the age and circumstances of the appellants and failed to give adequate reasons why their evidence was not given any weight or was insufficient to show dependency.

- (iii) The judge erred in relying on the decision in *Chowdhury v SSHD* [2021] EWCA Civ 1220. There was no requirement under ‘the regulations’ for dependency to have been continuous.
6. First-tier Tribunal Judge Athwal only granted permission in relation to the first and second grounds of appeal. The appellants did not make a renewed application for permission directly to the Upper Tribunal in relation to the third ground.
7. I have considered the First-tier Tribunal decision, the evidence before the First-tier Tribunal, the grounds of appeal, and the informal discussion at the hearing, before coming to a decision in this appeal. It is not necessary to summarise the proceedings because they are a matter of record, but I will refer to any relevant submissions in my decision.
8. The Supreme Court in *HA (Iraq) v SSHD* [2022] UKSC 22 reiterated that judicial caution and restraint is required when considering whether to set aside a decision of a specialist tribunal. In particular, judges of the specialist tribunal are best placed to make factual findings. Appellate courts should not rush to find misdirections simply because they might have reached a different conclusion on the facts or expressed themselves differently: see *AH (Sudan) v SSHD* [2007] UKHL 49 and *KM v SSHD* [2021] EWCA Civ 693. Where a relevant point is not expressly mentioned by the tribunal, the court should be slow to infer that it has not been taken into account: see *MA (Somalia) v SSHD* [2020] UKSC 49. When it comes to the reasons given by the tribunal, the court should exercise judicial restraint and should not assume that the tribunal misdirected itself just because not every step in its reasoning is fully set out: see *R (Jones) v FTT (SEC)* [2013] UKSC 19. I have kept these principles in mind.

### **Decision and reasons**

9. The key issue before the judge was whether there was sufficient evidence to show that the appellants were dependent on the EEA national sponsor for their essential living needs. The judge considered the previous findings made by Judge Young-Harry in 2022 and noted that much of the evidence was unchanged. The judge made the following finding at [18]:
- ‘18. I find that the majority of the evidence the Appellants submitted subsequent to Judge Young-Harry’s decision remains substantially the same as the evidence before Judge Young-Harry. I find that the Appellants live with the Sponsor’s brother-in-law in Pakistan, except during term time when Appellant 1 is at university and lives in a hostel. I find that although the Sponsor’s brother-in-law works, his work is inconsistent and his income is not sufficient to meet all the essential needs of his wife, two children, and the Appellants.’
10. The judge was satisfied that the evidence showed that the sponsor had been sending money to her brother in law and the appellants since May 2018, which was a longer period than considered by the previous judge. I note that this included the key period before the United Kingdom exited from the EU. Like the previous judge, Judge Scullion found that there was limited evidence about the appellants’ circumstances in Pakistan. He went on to find:

- '20. I find that there is limited evidence about the Appellants' circumstances in Pakistan, including the brother-in-law's income and expenditure and family expenses. I find that Appellant 1 is a student and his fees have been paid up to 2024 ... and that his fees for staying in the hostel ... have been paid. I find, as Mr Alam conceded, that it cannot be ascertained from those receipts who paid those expenses for Appellant 1 and from what funds. There are receipts for a computer and some clothes ... but the evidence does not demonstrate who the products were for or who paid for them. I find that Appellant 2 lives with her son (who is the Sponsor's brother-in-law) and his family in Pakistan. From the limited evidence provided about the family's and the Appellants' income and expenditure, I find that the Appellants have not demonstrated that they are dependent for their essential needs on the Sponsor.'
11. This is a borderline decision. Although many of the judge's findings were open to him to make, I am just persuaded that there is a lack of clarity in the reasoning relating to a key issue i.e. whether the appellants were able to meet their essential needs given that they lived in the family home with their son/uncle.
  12. At [18] the judge appeared to accept that the sponsor's brother in law worked, but that his income might not be sufficient to support the whole family. This finding was capable of indicating that the appellants might still require the additional financial support from the sponsor to meet their essential needs. But then at [20] the judge found that there was in general a lack of evidence about the family's circumstances in Pakistan, including the brother in law's income and the family expenditure. It can be inferred from [20] that the judge's overall assessment was that, despite the earlier finding in [18], the evidence relating to the circumstances of any dependency was still lacking.
  13. The second ground argues that the judge failed to consider the appellants' circumstances and/or the witnesses evidence adequately. The EEA sponsor, her husband, and the second appellant, all prepared witness statements for the appeal. There was evidence to show the age of the first appellant and to show that she was likely to be a widow. The judge appeared to accept that the appellants lived in an extended family household with the EEA sponsor's brother in law. The witness evidence stated that the appellants relied on the money transfers from the sponsor to pay for their essential living expenses such as food, clothing, and travel. Their evidence was that the second appellant was reliant on those funds to pay for his education and living expenses during term time.
  14. The EEA sponsor and her husband attended the First-tier Tribunal hearing but did not give oral evidence. It is unclear from the decision whether this was because they were not called to give evidence or the respondent's representative did not wish to ask any questions. The grounds are silent as to why they were not asked any questions. Nevertheless, the evidence was before the judge and needed to be addressed.
  15. The first and second grounds are insufficient, taken individually, to show an error. However, the combination of a lack of clarity in the judge's findings relating to the support that might or might not be provided by the EEA sponsor's brother in law and the failure to consider whether the evidence given by the witnesses was sufficient to make up for the shortfall in the documentary evidence is just enough to disclose an error of law.

16. For these reasons, I conclude that the First-tier Tribunal decision involved the making of an error on a point of law. The decision is set aside.
17. After taking instructions, Mr Alam said that the appellants were ready to proceed to remake the hearing that day. He began by called Mr Khan. Mr Khan spoke a fair amount of English, but after having started the hearing, it became clear that there were difficulties in comprehension. The hearing was adjourned and will resume afresh on another date with the assistance of Urdu speaking and Romanian speaking interpreters. None of the evidence given will be retained.

### **DIRECTIONS**

18. **The parties** may file and serve any up to date evidence relied upon no later than 14 days before the next hearing.

### **Notice of Decision**

The First-tier Tribunal decision involved the making of an error on a point of law  
The decision will be remade at a resumed hearing in the Upper Tribunal

**M.Canavan**  
Judge of the Upper Tribunal  
Immigration and Asylum Chamber  
10 October 2024