



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

Appeal Numbers: IA/00762/2014
IA/00766/2014

THE IMMIGRATION ACTS

Heard at Field House

On 26 June 2014

**Determination
Promulgated
On 2nd July 2014**

Before

DEPUTY UPPER TRIBUNAL JUDGE GIBB

Between

**KAMALJIT SINGH
JAGDEEP KAUR
(NO ANONYMITY DIRECTION MADE)**

Appellants

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellants: Mr R Clarke, Counsel, instructed by Hafiz & Haque Solicitors

For the Respondent: Mr I Jarvis, Home Office Presenting Officer

NOTICE OF WITHDRAWAL

1. The appellants were refused further leave to remain as a Tier 4 (General) Migrant and dependant. Their appeals against these refusals were allowed by First-tier Tribunal Judge Hawden-Beal.

2. Because the appeals were allowed at the First-tier, under the Immigration Rules, the appellant in the Upper Tribunal is the Secretary of State. For clarity and convenience, however, I am referring to the parties as they were before the First-tier.
3. The Secretary of State was given permission to appeal by Designated Judge of the First-tier Tribunal McClure, on 2 May 2014.
4. At the hearing before me Mr Jarvis, for the respondent, applied for consent to withdraw the respondent's case, with reference to Rule 17 of the Upper Tribunal (Procedure) Rules 2008. He did so because he accepted that the Document Verification Report considered by the judge did not have the relevant attachment included. It therefore amounted to a non-evidenced allegation that a financial document was false. He accepted that there was therefore no requirement for rebuttal evidence from the appellants.
5. Mr Clarke, for the appellants, had no comment to make.
6. I gave the consent of the Tribunal to the withdrawal of the Secretary of State's case.
7. As a result of the withdrawal the judge's decision allowing both appeals under the Immigration Rules stands.

Signed

Date

Deputy Upper Tribunal Judge Gibb