



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

Appeal Number: IA/15439/2014

THE IMMIGRATION ACTS

**Heard at Field House
On 18 March 2015**

**Decision & Reasons
Promulgated
On 27 March 2015**

Before

**THE HONOURABLE MR JUSTICE MALES
DEPUTY UPPER TRIBUNAL JUDGE MCWILLIAM**

Between

**MR S M MOKHLASUR RAHMAN
(ANONYMITY DIRECTION NOT MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: No Legal Representative

For the Respondent: Mr D Clarke, Home Office Presenting Officer

DECISION AND REASONS

1. This is an appeal by Mr S M Mokhlasur Rahman against a decision by the First-tier Tribunal promulgated on 31 October 2014, First-tier Tribunal Judge Talbot. The appeal was by Mr Rahman, a Pakistani national born on 12 December 1986, against the Secretary of State's decision of 23 April 2014 to refuse his application for leave to remain as a Tier 4 Migrant and to remove him under Section 47 of the Immigration, Asylum and Nationality Act 2006. It is unnecessary to set out the reasoning of the First-

tier Tribunal Judge as to why the application for leave to remain was rightly refused under the Rules because there is no grant of permission in relation to that issue.

2. Although grounds of appeal were submitted raising a number of issues the only ground on which permission has been granted to appeal to the Upper Tribunal is that the First-tier Judge failed to deal with Mr Rahman's claim under Article 8 of the European Convention on Human Rights. Although Mr Rahman was represented below he is not currently represented and nobody has attended to pursue this appeal on his behalf. Nevertheless we have carefully considered the papers and reached the clear view that there is no substance in this appeal. We would add that we respectfully agree also with the view of the judge dealing with permission to appeal to the Upper Tribunal that there is nothing in the other proposed grounds of appeal either.
3. The reason why the First-tier Judge did not deal with issues under Article 8 is very simple, that there were no representations made on behalf of Mr Rahman in relation to Article 8. It is true that in his grounds in support of his appeal to the First-tier Tribunal there does appear a statement to the effect that the Secretary of State had not taken into account the appellant's human rights under Article 8 and that he was "enjoying a private life in his current capacity" so that removal would have "extremely harsh consequences for his private life" but it is clear that that ground was not developed either by evidence to explain the nature of the private life which Mr Rahman claimed to enjoy or submissions to show why interference with that private life would be disproportionate for the purpose of Article 8. On the contrary, Mr Rahman's evidence to the First-tier Tribunal was that he came from a relatively affluent family in Bangladesh; his father owned a brick mill and was a director of a company trading in fertiliser dealerships; Mr Rahman had come to the United Kingdom as a student in 2008; in July 2014 he completed a degree in electronic engineering from the University of Westminster; and he would like to go on to study for a masters degree in the United Kingdom before returning to Bangladesh. It is clear therefore that he had no intention to settle permanently in this country. That appears to be the closest that his evidence came to any case about private life in this country and it was clearly insufficient to make good any case under Article 8.
4. So in our judgment there is nothing in the sole ground on which permission to appeal to this Tribunal has been granted and we dismiss the appeal.

Notice of Decision

The appeal is dismissed. The decision of the First-tier Tribunal dismissing Mr Rahman's appeal stands.

No anonymity direction is made.

Signed

Date **27 March 2015**

Mr Justice Males