



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

Appeal no: **EA/08556/2016**

THE IMMIGRATION ACTS

Considered at Field House

Decision

**& Reasons
Promulgated**

On 23 January 2018

On 24 January 2018

Before:
Upper Tribunal Judge Pitt

Between:
Nirojan Balasingham

Appellant

and

Secretary of State for the Home Department

Respondent

Decision and Reasons

1. The Tribunal issued a direction on 7 December 2017 requesting that the parties provide written reasons within 7 days as to why an error of law should not be found and the appeal remitted to the First-tier Tribunal following Khan v SSHD [2017] EWCA Civ 1755.
2. No response was received from either party within 7 days and the Tribunal therefore finds an error of law such that the decision of First-tier Tribunal Judge Zucker should be set aside and remitted to the First-tier Tribunal to be re-made *de novo*.

Signed: 
Upper Tribunal Judge Pitt

Dated: 23 January 2018