



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

Appeal Number: HU/01159/2017

THE IMMIGRATION ACTS

**Heard at Birmingham Civil Justice
Centre
On 14th January 2019**

**Decision & Reasons
Promulgated
On 30th January 2019**

Before

Upper Tribunal Judge Chalkley

Between

**MOHSIN WAHEED
(ANONYMITY DIRECTION NOT MADE)**

Appellant

and

ENTRY CLEARANCE OFFICER

Respondent

Representation:

For the Appellant: Mr M Nadeem, solicitor's clerk with City Law Solicitors

For the Respondent: Miss D Mills, Home Office Presenting Officer

DECISION AND REASONS

1. The appellant is a citizen of Pakistan born on 25th December, 1992. He applied for entry clearance to join his partner in the United Kingdom under Appendix FM. The respondent refused that application on 21st December, 2016 and the appellant appealed that decision to the First-tier Tribunal which heard it at Birmingham on 1st December, 2017.

2. Before me today it was accepted that there were errors of law in the judge's determination such that the evidence before First-tier Tribunal Judge Burke showed that the sponsor's income was more than sufficient to satisfy the requirements of the Immigration Rules. Both representatives agreed that the appeal should be allowed and I am happy to allow it.
3. The appellant's appeal is allowed.

Richard Chalkley
Upper Tribunal Judge Chalkley

TO THE RESPONDENT
FEE AWARD

As I have allowed the appeal and I have considered making a fee award and have decided to make a fee award of any fee which has been paid or may be payable.

Richard Chalkley
Upper Tribunal Judge Chalkley

Dated 28 January 2019