



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

Appeal Number: IA/33892/2015

**THE IMMIGRATION ACTS**

**Heard at Field House**

**On 16 April 2019**

**Decision & Reasons  
Promulgated  
On 1 May 2019**

**Before**

**MR C M G OCKELTON, VICE PRESIDENT  
UPPER TRIBUNAL JUDGE LINDSLEY**

**Between**

**REAZ MAHMUD**

**and**

Appellant

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

For the Appellant: Mr Hadi, instructed by Westbrook Law Solicitors.

For the Respondent: Mr Clarke, Senior Home Office Presenting Officer.

**DECISION**

1. This is a decision to which Rule 40(3)(a) of the Tribunal Procedure (Upper Tribunal) Rules 2008 applies.
2. At the hearing, Mr Clarke conceded as a matter of fact that at the date of the decision under appeal the appellant had completed ten years' lawful residence in the United Kingdom.
3. The decision of the First-tier Tribunal is set aside and we re-make the decision. We allow the appeal.

C. M. G. OCKELTON  
VICE PRESIDENT OF THE UPPER TRIBUNAL  
IMMIGRATION AND ASYLUM CHAMBER  
Date: 24 April 2019