



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Numbers: HU/01169/2020
HU/20385/2019

THE IMMIGRATION ACTS

Heard at Field House
On 23 August 2021
(remote hearing)

Decision & Reasons Promulgated
On 27 September 2021

Before

UPPER TRIBUNAL JUDGE SHERIDAN

Between

ANISHA THAMSUHANG
ALISHA THAMSUHANG

Appellants

and

ENTRY CLEARANCE OFFICER

Respondent

Representation

For the Appellants: Mr Jesurum, Counsel instructed by Everest Law Solicitors
For the Respondent: Mr Avery, Senior Home Office Presenting Officer

This has been a remote hearing to which both parties have consented. The form of remote hearing was video by Microsoft Teams (V). A face to face hearing was not held because it was not practicable and all issues could be determined in a remote hearing. I did not experience any difficulties, and neither party expressed any concern, with the process.

CONSENT ORDER

Background

1. The respondent conceded that the decision of the First tier Tribunal (by Judge of the First-tier Tribunal Burnett promulgated on 18 March 2021) involved the making of an error of law and should be set aside.
2. The parties were in agreement that the appeal should be remitted to the First-tier Tribunal to be heard afresh with no findings preserved by a different judge and that it could be disposed of by consent order.

Decision

3. Pursuant to Rule 39 of the Tribunal Procedure (Upper Tribunal) Rules 2008 and by the consent of the parties I make the following order:
4. The decision of the First-tier Tribunal is set aside and the appeal is remitted to the First-tier Tribunal to be made afresh by a different judge with no findings preserved.

Signed

D. Sheridan

Upper Tribunal Judge Sheridan

Dated: 23 August 2021