



IAC-FH-CK-V1

**Upper Tribunal
(Immigration and Asylum Chamber) Appeal Number: HU/18434/2019
(V)**

THE IMMIGRATION ACTS

Heard at Field House

On 11 March 2021

**Decision & Reasons
Promulgated
On 18 March 2021**

Before

UPPER TRIBUNAL JUDGE SHERIDAN

Between

**HUANHUAN WENG
(ANONYMITY DIRECTION NOT MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation

For the Appellant: Ms Shaw, Counsel instructed by Queens Court Law

For the Respondent: Mr Walker, Senior Home Office Presenting Officer

CONSENT ORDER

1. Pursuant to Rule 39 of the Tribunal Procedure (Upper Tribunal) Rules 2008 and by the consent of the parties the following order is made:
 - a. Upon the parties agreeing that the decision of First-tier Tribunal Judge Barker promulgated on 17 August 2020 discloses a material error of law and should be set aside.

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- b. And upon the parties agreeing that the appeal should be remitted to the First-tier Tribunal.
- c. The decision of the First-tier Tribunal is set aside for legal error 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: 11 March 2021