



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

Appeal Number: AA/01127/2013

THE IMMIGRATION ACTS

**Heard at Field House
On 26 June 2013
Prepared 26 June 2013**

**Date sent
On 27 June 2013**

Before

**UPPER TRIBUNAL JUDGE MCGEACHY
Between**

EJAZ HUSSAIN

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr D.Lemer, of Counsel instructed by Rashid and Rashid Solicitors
For the Respondent: Ms E Martin, Senior Home Office Presenting Officer

DETERMINATION AND DIRECTIONS

1. The appellant, a citizen of Pakistan, born on 8 September 1969 appeals with permission against a decision of Judge of the First-tier tribunal Onoufriou who in a determination dated 17 April dismissed his appeal against the refusal of asylum.
2. The respondent accepted, in a letter of 21 May 2013, that there were material errors of law in the determination.
3. the respondent was correct to do so. It is clear that the Judge had ignore documentary evidence from Pakistan supporting his assertion that he was an Ahmadi.
4. Both representatives considered that this would be an appropriate case to be remitted to the first -tier. I agree that the errors in the determination are such that it is appropriate that none of the findings of the Judge should be preserved and that the appeal be heard afresh.

5. I am satisfied that this is an appeal in which the requirements of the Senior President's Practice Statement paragraph 7.2(a) are met.
6. I therefore allow the appeal before the Upper Tribunal to the limited extent that it is remitted to the First -tier Tribunal to be heard afresh.

Signed

Date: 26 June 2013

Upper Tribunal Judge McGeachy