



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal no: VA 00216-13

THE IMMIGRATION ACTS

At **Field House**
on

Decision signed: **20.11.2013**
sent out: **20.11.2013**

Before:

Upper Tribunal Judge
John FREEMAN

Between:

SHAUKAT Khan

appellant

and

Entry Clearance Officer, ABU DHABI

respondent

DETERMINATION AND REASONS

This appellant was granted permission to appeal the decision of the First-tier Tribunal as follows:

If it had simply been a question of the explanation for the Rs. 241,000 deposit, then I might have agreed with the first-tier permission decision; but there were also the Rs. 345,000, which clearly were a withdrawal, rather than a deposit. In my view this is an *E & R* [2004] EWCA Civ 49 type case: unless there is an objection within the time set out in the attached letter, the appeal will be allowed, with directions for a fresh hearing before another first-tier judge.

That decision was sent to the parties on 13 September, with copies of a notice requiring a response by the 27th. There has been none.

Appeal allowed

Fresh hearing, not before Judge Chohan

(a judge of the Upper Tribunal)