



Upper Tribunal  
(Immigration and Asylum Chamber)

Appeal Number: IA/36609/2013

THE IMMIGRATION ACTS

Heard at Birmingham  
on 20 June 2014

Determination Promulgated  
on 23 June 2014

Before

UPPER TRIBUNAL JUDGE PITT

Between

SIBTAIN RAZA KHALID

and

Appellant

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: In person

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


DETERMINATION AND REASONS

1. This is an appeal against a determination of First-tier Tribunal Judge Obhi promulgated on 18 March 2014 which dismissed the appellant's appeal against the refusal of leave to remain as a Tier 4 (General) Student.

2. The only issue here was finance. The appellant accepted before me that with his application to the respondent he provided only his Barclays Bank account statements. He accepted that they did not show the requisite funds of £1,600 for the required period, 4 July 2013 to 31 July 2013.
3. The appeal really ends there as the challenge before me is to how Judge Obhi assessed further evidence which was not provided with the application or before the respondent when she made her decision. That evidence was not admissible following s.85A of the Nationality, Immigration and Asylum Act 2002.
4. In any event, Judge Obhi did not err in her consideration of that evidence. The HBL Habib Bank statement is stated to have been printed out on 1 July 2013. It cannot show funds in the account between 1 July 2013 and 30 July 2013, therefore. Judge Obhi was correct to place no weight on this document.

Decision

5. **The determination of the First-tier Tribunal does not disclose an error on a point of law and shall stand.**

Signed:   
Upper Tribunal Judge Pitt

Dated: 20 June 2014