



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

Appeal Number: PA/00049/2015

THE IMMIGRATION ACTS

**Decided at Field House without a
hearing
On 1 September 2015**

**Decision & Reasons Promulgated
On 7 October 2015**

Before

UPPER TRIBUNAL JUDGE PERKINS

Between

AHSAN NADEEM

Appellant

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

DETERMINATION AND REASONS


1) On 14 July 2015 the First-tier Tribunal gave the Appellant permission to appeal the decision (hereinafter “the Decision”) of the First-tier Tribunal promulgated on 23 June 2015 dismissing the Appellant’s appeal against a decision of the Respondent to remove him from the United Kingdom.

2) The appeal was determined under “The Fast-track Rules” under Schedule Rule 1(3) to the Tribunal Procedure Rules 2014.

3) By a Decision of the President of the First-tier Tribunal, Immigration and Asylum Chamber, under rule 32 of the Tribunal Procedure Rules 2014, sent to the parties on 18 August 2015, the First-tier Tribunal set aside the Decision. The Decision was set aside following the decision of the Court of Appeal in The Lord Chancellor v Detention Action [2015] EWCA Civ 840.

- 4) I saw no useful purpose in the Upper Tribunal making any reasoned decision on the appeal and I was minded to dismiss the appeal without considering the merits.
- 5) A Memorandum and Directions setting out my view was sent to the parties on 2 September 2105 inviting them to respond. A similar Memorandum and Directions had been sent to the parties previously but the Appellant was served at the wrong address.
- 6) There has been no response from either party.
- 7) I see no disadvantage to the Appellant in dismissing his appeal to the Upper Tribunal. The First-tier Tribunal must re-determine his appeal.
- 8) In the circumstances I dismiss the Appellant's appeal to the Upper Tribunal.

Signed
Jonathan Perkins
Judge of the Upper Tribunal



Dated 30 September 2015