



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

Appeal Number: AA/10522/2015

THE IMMIGRATION ACTS

**Heard at Field House
On 25 February 2016**

**Decision & Reasons
Promulgated
On 9 March 2016**

**Before
DEPUTY JUDGE DRABU CBE**

**Between
MR TILAN CHANDIMA JAYANTHA GALHENGU Plus Two**

Appellants

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

For the Appellants: Mr M Iqbal of Counsel instructed by Britain Solicitors.
For the Respondent: Mr I Jarvis, Senior Presenting Officer.

DECISION AND REASONS

1. The appellants having been refused their applications for asylum and humanitarian protection by the respondent on 17 July 2015 appealed to the First tier Tribunal and their appeals were heard at Hatton Cross on 23 November 2015 by Judge L K Gibbs. For reasons given in the determination the appeals were dismissed and the appellants obtained permission to appeal to the Upper Tribunal which was granted by Judge Shimmin, a Judge of the First tier Tribunal for reasons given in her decision of 20 January 2016.
2. At the hearing before me Mr Jarvis representing the respondent conceded that the grounds upon which permission had been granted showed that in deciding the appeals, the First tier

Judge had made material errors of law. He asked that the determination of Judge L K Gibbs be struck down and it be directed that the appeals are heard afresh by the First tier Tribunal. Ms Heller of Counsel representing the appellants agreed. I was in agreement with the views of Mr Jarvis and Ms Heller.

3. Accordingly, I allow these appeals and direct that these be heard afresh by any First Tier Tribunal Judge other than Judge L K Gibbs.

K Drabu CBE
Deputy Judge of the Upper Tribunal.
27 February 2016