



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: HU/06028/2016
HU/06030/2016
HU/06033/2016

THE IMMIGRATION ACTS

Heard at Field House
On 18 June 2018

Decision and Reasons Promulgated
On 21 June 2018

Before

UPPER TRIBUNAL JUDGE KOPIECZEK

Between

SADIA [Y] & OTHERS
(ANONYMITY DIRECTION NOT MADE)

Appellants

and

ENTRY CLEARANCE OFFICER

Respondent

Representation:

For the Appellants: Mr I. Ahmed, legal representative
For the Respondent: Mr P. Duffy, Senior Home Office Presenting Officer

DECISION PURSUANT TO RULE 40(3)(a) OF THE TRIBUNAL PROCEDURE (UPPER TRIBUNAL) RULES 2008

1. The appellants are citizens of Pakistan. The main appellant is the mother of the two other, minor, appellants. They appealed to the First-tier Tribunal ("FtT) against a decision dated 26 January 2016 to refuse entry clearance as a partner (and dependants), and their appeals were dismissed.

2. The FtT dismissed the appeals in terms of the financial requirements of the Rules under Appendices FM and FM-SE. Other issues raised in the decision of the Entry Clearance Officer were resolved in favour of the appellants regarding the genuineness of the marriage and the family relationships.
3. At the hearing before me it was agreed between the parties that in fact as at the date of the applications for entry clearance, the financial requirements of the Rules were met with reference to Appendices FM and FM-SE.
4. It was further agreed that in the circumstances the FtT erred in law in concluding otherwise, such that it was appropriate for its decision to be set aside, and for the decisions to be re-made, allowing the appeals. Accordingly, I set aside the decision of the FtT and re-make the decision, allowing the appeal of each appellant.
5. Pursuant to rule 40(3)(a) of the Tribunal Procedure (Upper Tribunal) Rules 2008, no reasons (or further reasons) are required, the decision being made with the consent of the parties.

Upper Tribunal Judge Kopieczek

dated 18/06/18

TO THE RESPONDENT
FEE AWARD

Since I have allowed the appeals and it is agreed that the appellants met the requirements of the Rules at the date of the applications, I make a fee award in favour of each appellant in the sum of £140, making a total fee award of £420.