



**IN THE UPPER TRIBUNAL**  
**IMMIGRATION AND ASYLUM**  
**CHAMBER**

**Ce-File Number: UI-2022-000958**  
**First-tier Tribunal No: PA/02734/2020**

**THE IMMIGRATION ACTS**

**Decision & Reasons Issued:**  
**On the 01<sup>st</sup> March 2023**

**Before**

**UPPER TRIBUNAL JUDGE CANAVAN**  
**DEPUTY UPPER TRIBUNAL JUDGE JOLLIFFE**

**Between**

**MD ABDULLAH AL-MAMUN**  
**(NO ANONYMITY ORDER MADE)**

Appellant

**and**

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

For the Appellant: No appearance or representation  
For the Respondent: Mr Avery Home Office Presenting Officer

**Heard at Field House on 9 February 2023**

**DECISION AND REASONS**

1. The Appellant in this case is a Bangladeshi national. He appeals against a decision dated 17 November 2021 of FTTJ I Ross to refuse his appeal against the decision of the Respondent dated 5 March 2020 to refuse his claim for asylum. He was granted permission to appeal by UTJ Allen by an Order dated 20 May 2022.
2. FTTJ Ross' determination was predicated on a series of adverse credibility findings which he made regarding the Appellant - see paragraphs 22-28 of his judgment.

3. The Appellant did not attend the hearing. The Tribunal was satisfied that he had been properly served with the hearing notice, which had been sent by post and by email to the addresses specified on his original application form. His representatives Duncan Lewis had also been served. They have now come off the record due to being unable to obtain instructions from the Appellant - see their letter dated 20 January 2023.
4. Mr Avery informed the Tribunal that within the Appellant's CID notes there was an entry dated 4 October 2022 from an officer employed on the Voluntary Returns Scheme. The Appellant was recorded as having said that he had a valid passport and a ticket to fly back to Bangladesh. He had been offered VRS. To Mr Avery's knowledge the Appellant has not been in contact with the Respondent's officers since then.
5. We are satisfied that the combination of these two pieces of evidence is sufficient to show on the balance of probabilities that it is likely that the appellant has left the country.
6. In the circumstances Mr Avery invited us to treat the appeal as having been abandoned as per section 92(8) of the Nationality, Immigration and Asylum Act 2002, and we do treat it as abandoned. Accordingly and for completeness, the First Tier Tribunal judgment stands, and the Upper Tribunal takes no further action.

### **Notice of Decision**

**The appeal before the Upper Tribunal is treated as abandoned**

### **Direction Regarding Anonymity - Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008**

**Pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008, the appellant is not granted anonymity.**

**J Jolliffe**

Signed  
Deputy Upper Tribunal Judge Jolliffe

Date: 13 February 2023