



IN THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER

Case No: UI-2024-000050

First-tier Tribunal No: PA/00889/2023

THE IMMIGRATION ACTS

Decision & Reasons Issued:
On the 23 October 2024

Before

UPPER TRIBUNAL JUDGE DANIEL SHERIDAN

Between

Sazgar Kannabi Alli

Appellant

and

Secretary of State for the Home Department

Respondent

DECISION AND REASONS

1. By a decision promulgated on 27 October 2023, the appellant's appeal in the First-tier Tribunal was dismissed by Judge of the First-tier Tribunal Ficklin.
2. The appellant did not attend the hearing.
3. The grounds of appeal argue that the appellant did not have notice of the hearing and proceeding in her absence was procedurally unfair. Permission was granted on this basis on 2 February 2024.
4. The respondent submitted a rule 24 response stating the following:

The respondent does not oppose the appellant's appeal. In summary, the Respondent accepts that the judge of the First-tier Tribunal erred by not conducting thorough checks to ensure appellant was sent notice of the hearing, and thus accepts the appellants grounds, that this amounted to procedural unfairness.

In light of this concession the Respondent submits it is not necessary to hold an oral error of law hearing and would suggest the case it remitted back to the First Tier for a fresh hearing
5. In the light of the rule 24 response, and in accordance with the outcome sought by both parties, I have decided to set aside the decision of the First-tier Tribunal and remit the case to the First-tier Tribunal to be made afresh by the judge.

Notice of Decision

The decision of the First-tier Tribunal is set aside. The appeal is remitted to the First-tier Tribunal to be made afresh by a different judge.

Upper Tribunal Judge Sheridan

Judge of the Upper Tribunal
Immigration and Asylum Chamber

21 October 2024