



IN THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER

Case No: UI-2024-000308

First-tier Tribunal No: HU/51705/2023

THE IMMIGRATION ACTS

Decision & Reasons Issued:

11th March 2024

Before

UPPER TRIBUNAL JUDGE PERKINS
DEPUTY UPPER TRIBUNAL JUDGE G A BLACK

Between

Muhammad Tareef Faisal
(no anonymity order made)

Appellant

and

The Secretary of State for the Home Department

Respondent

Representation:

For the Appellant: Mr Z Nasim, Counsel instructed by Direct Public Access
For the Respondent: Mrs A Nolan, Senior Home Office Presenting Officer

Heard at Field House on 6 March 2023

DECISION AND REASONS

1. This is an appeal against a decision of the First-tier Tribunal dismissing the Appellant's appeal against a decision of the Respondent on 23 January 2023 refusing him leave to remain in the United Kingdom.
2. The Appellant not attend the hearing and the appeal was dismissed.
3. His grounds rely in part on his having been involved in a road traffic accident some three weeks or so before the hearing but this serves mainly to cloud the issue. His best point is that he did not know about the hearing.
4. Mr Nasim has prepared a very fully supplementary bundle which Mrs Nolan has been able to consider.
5. There is no proper basis for doubting the Appellant's claim that he was not notified of the hearing of his appeal.

6. In the circumstances we find that there has been a procedural irregularity amounting to an error of law. We set aside the decision of the First-tier Tribunal and direct that the appeal be heard again in the First-tier Tribunal.

Notice of Decision

7. The First-tier Tribunal erred in law. We set aside this decision and direct that the case be heard again in the First-tier Tribunal.

Jonathan Perkins

Judge of the Upper Tribunal
Immigration and Asylum Chamber

6 March 2024