

**Upper Tribunal**

**(Immigration and Asylum Chamber)** Appeal Number: HU/00985/2018

**THE IMMIGRATION ACTS**

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| **No hearing** | **Decision and Reasons Promulgated** | |
| **On 18 July 2018** | **On 25 July 2018** | |
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**Before**

**MR C M G OCKELTON, VICE PRESIDENT**

**Between**

**CETIN KAR**

**(anonymity direction not made)**

Appellant

**and**

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

Respondent

**DECISION AND REMITTAL**

1. On 21 June 2018, I wrote to the parties as follows:

“Permission to appeal to this Tribunal has been granted in the following terms:

“I could find no arguable error of law but there appears to have been a procedural error in that the appellant’s email dated 18 February 2018 showing his English language test results and an email enclosing a copy of his English test certificate received by the Tribunal on 6 March 2018 were not put before the Judge whose decision was not promulgated until after the documents were received.”

There has been no response under rule 24. I propose without more ado to set aside the decision of the First-tier Tribunal for error of law, and remit the appeal for re-determination by the First-tier Tribunal. Any submissions to the contrary will be considered if received within **14 days** of the date of this letter.”

1. There has been no response adverse or otherwise.
2. For the reasons given above I now set aside the decision of the First-tier Tribunal for error of law. I remit the appeal to the First-tier Tribunal for the re-determination by a different judge.

C. M. G. OCKELTON

VICE PRESIDENT OF THE UPPER TRIBUNAL

IMMIGRATION AND ASYLUM CHAMBER

Date: 18 July 2018.