



DECISION NOTICE OF SHERIFF NIGEL ROSS
ON AN APPLICATION FOR PERMISSION TO APPEAL
(DECISION OF FIRST-TIER TRIBUNAL FOR SCOTLAND)

in the case of

MR PRADIP SUTARE, 372 Colinton Main Road, Edinburgh, EH13 9BS

Appellant

and

MR RAMESH GOLKONDA, 19 Craigmount Brae, Midlothian, EH12 8XD

FIRST-TIER TRIBUNAL FOR SCOTLAND HOUSING AND PROPERTY CHAMBER,
Glasgow Tribunals Centre, 20 York Street, Glasgow, G2 8GT;

Respondent

FTT Case Reference FTS/HPC/CV/18/1995

6 March 2019

Decision

[1] In respect that the grounds of appeal identify no relevant error on the part of the First-tier Tribunal in their decision dated 31 January 2019, leave to appeal is refused.

[2] The appellant's grounds of appeal discuss a great deal of factual material, much of it extraneous to the application. An appeal is not a second opportunity for an argument about the facts, or to present new evidence. An appeal is stateable only if there is a logical or legal

error in the decision-making process. The First-tier Tribunal set out the facts on which they proceeded, the evidence which they accepted, and the inferences and conclusions they drew from that evidence. Their conclusions in fact and law do not contain any logical or legal error. It is not enough that the appellant disagrees with the decision. The appellant had sufficient time and opportunity to present his position in writing and in person. He elected not to attend the evidential hearing, without sufficient reason. He was not medically unable to attend. He was not entitled to choose not to attend.

[3] For these reasons, this appeal is unstateable. Leave to appeal is accordingly refused.