



**Upper Tribunal
(Immigration and Asylum Chamber)**

Appeal Number: EA/10324/2016

THE IMMIGRATION ACTS

**Heard at Field House
On 1 June 2017**

**Decision & Reasons Promulgated
On 5 June 2017**

Before

DEPUTY UPPER TRIBUNAL JUDGE HILL QC

Between

**MR IRFAN AHMED
(ANONYMITY DIRECTION NOT MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Ms S Saifolahi, Counsel, instructed by ATM Law Solicitors
For the Respondent: Ms Z Ahmad, Home Office Presenting Officer

DECISION AND REASONS

1. This is an appeal from the decision of First-tier Tribunal Judge Birk promulgated on 18 November 2016. It relates to a refusal on the part of the respondent to grant a permanent residence card in relation to this appellant consequent upon his divorce from a Polish national.
2. The decision is less than satisfactory, not helped by the fact that neither the appellant nor the respondent attended before the First-tier Tribunal or were represented. Although it seems from the opening paragraphs of the determination that the judge properly identified that the issue to be

