



**Upper Tribunal
(Immigration and Asylum Chamber)**
VA/02544/2015

Appeal Number:

THE IMMIGRATION ACTS

**Heard at Field House
on 17 July 2017**

**Decision and
Promulgated
On 17 July 2017**

Reasons

Before

UPPER TRIBUNAL JUDGE HANSON

Between

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Appellant

and

**FOLORUNSHO ADEGBOYEGA IJAODOLA
(anonymity direction not made)**

Respondent

Representation:

For the Appellant: Miss Isherwood Senior Home Office Presenting Officer.
For the Respondent: Mr Kadiri of Mitchell Simmonds Solicitors

DECISION AND REASONS

1. This is an appeal by the Secretary of State against a decision of First-tier Tribunal Judge Woolf promulgated on 9 January 2017, in which the Judge allowed the appellant's appeal on human rights grounds against the refusal of an application for a Visit Visa.

2. Permission was granted and the matter listed for an Initial Hearing at Field House for today. On 14 July 2017, Miss Isherwood wrote to the Upper Tribunal and the respondent's representatives in the following terms:

"The above named appellants error in law hearing is due to take place on the 17 July 2017. This is following the Entry Clearance Officer challenging the allowed visit Visa appeal promulgated on the 9 January 2017.

While this visit Visa appeal was being pursued to the appellant submitted an application for entry clearance as a parent of a settled child. This application was refused and allowed on appeal by Judge Abebrses decision promulgated on 29 June 2017. The Tribunal reference for this appeal is HU/01924/2016. This decision has been reviewed and the Entry Clearance Officer is not going to challenge this decision. In light of this the challenge to the visit visa is made redundant, therefore it is requested that the challenge be withdrawn and the Tribunal issue a decision to that effect."

Discussion

3. Permission granted to the Secretary of State to withdraw her challenge to the appeal in light of which there is no extant appeal upon which the Upper Tribunal is required to make a decision. Accordingly, no material error of law is found in the decision of the First-tier Tribunal which shall therefore stand.

Decision

4. **There is no material error of law in the First-tier Tribunal Judge's decision. The determination shall stand.**

Anonymity.

5. The First-tier Tribunal made an order pursuant to rule 45(4)(i) of the Asylum and Immigration Tribunal (Procedure) Rules 2005.

I make no such order pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008.

Signed.....
Upper Tribunal Judge Hanson

Dated the 17 July 2017