



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

Appeal no: **EA/01243/2016**

THE IMMIGRATION ACTS

**Decision & Reasons
Promulgated
On 2 February 2018**

Before:

Upper Tribunal Judge Pitt

Between:

Muhammad Tariq Khan

Appellant

and

Secretary of State for the Home Department

Respondent

Decision and Reasons

1. The Tribunal issued a direction on 20 December 2017 requesting that the parties provide written reasons within 7 days as to why an error of law should not be found and the appeal remitted to the First-tier Tribunal following Khan v SSHD [2017] EWCA Civ 1755.
2. No response was received from either party within 7 days and the Tribunal therefore finds an error of law such that the decision of First-tier Tribunal Judge Flynn is set aside and remitted to the First-tier Tribunal at Taylor House to be re-made *de novo*.

Signed: 
Upper Tribunal Judge Pitt

Dated: 1 February 2018