



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

Appeal Number: EA/04121/2017
EA/04125/2017

THE IMMIGRATION ACTS

Heard at the RCJ

On 3rd December 2018

Determination

Promulgated

On 6th December 2018

Before

UPPER TRIBUNAL JUDGE COKER

Between

**ROSLEEN [N]
NAZIR [G]**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation

For the appellant: Mr S Karim counsel instructed by AWS solicitors

For the respondent: Mr D Clarke, Senior Home Office Presenting Officer

DETERMINATION BY CONSENT

Pursuant to Rule 39 of the Tribunal Procedure (Upper Tribunal) Rules 2008 and by the consent of the parties the following order is made:

Upon the determination by First-Tier Tribunal Judge Housego promulgated on 4th July 2018 disclosing a material error of law and being set aside on 3rd December 2018.

And upon the parties agreeing that the evidence establishes that the appellants have met the requirements of the EEA Regulations the

appeal by the appellants against the refusal of an EEA Family Permit is allowed.

The appeal in the Upper Tribunal is allowed. The decision of the First-tier Tribunal is set aside for legal error. The appeal against the decision giving rise to the appeal in the First-tier Tribunal is allowed.



Signed
Upper Tribunal Judge Coker

Date 3rd December 2018