



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: EA/06394/2016

THE IMMIGRATION ACTS

At Field House
On 16 May 2018

Decision & Reasons Promulgated
On 21st May 2018

Before

Upper Tribunal Judge Plimmer

Between

UMER TARIQ

and

Appellant

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

DECISION

1. Following the issuing of directions dated 28 March 2018, the parties have not informed the Tribunal that there is opposition to its proposed course.
2. In the light of Khan v Secretary of State for the Home Department [2017] EWCA Civ 1755, the First-tier Tribunal erred in law in concluding that it did not have jurisdiction to hear the appeal.
3. The First-tier Tribunal decision is set aside and the case remitted to the First-tier Tribunal.

Signed: *M. Plimmer*
Upper Tribunal Judge Plimmer

Date: 16 May 2018