



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: IA/02895/2013

THE IMMIGRATION ACTS

Determined at Field House
On 18 September 2013

Date sent 20 September 2013

Before

UPPER TRIBUNAL JUDGE MCGEACHY

Between

KRISLER JOYSTAN DSOUZA

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

DETERMINATION

1. On 24 June 2013 I considered an application for permission to appeal to the Upper Tribunal. I found that the Judge in the First-tier had made no arguable error of law in his determination when he had considered the merits of the appellant's against the refusal of an extension of stay but that it was arguable that he should have allowed the appeal against the decision of the respondent to issue removal directions under section 47 of the Immigration, Nationality and Asylum Act 2006.
2. I directed that unless I received submissions to the contrary within 14 days I would substitute for the decision of the judge dismissing the appeal against the refusal of the extension of stay a decision to dismiss the appeal against that refusal and a decision to allow the appeal against the decision to remove under Section 47. The

respondent has agreed to this course of action. there has been no response from the appellant. I therefore now make the following decision:

Decision

The appeal against the refusal of the extension of stay and on human rights grounds is dismissed.

The appeal against the decision to remove under Section 47 is allowed.

Signed

Date: 18 September 2013

Upper Tribunal Judge McGeachy