



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

Appeal Numbers: AA/00605/2013

THE IMMIGRATION ACTS

**Heard at Field House, London
On 18th June 2014**

**Determination Sent:
On 26th June 2014**

Before

The President, The Hon. Mr Justice McCloskey

Between

AMIRTHANATHAR MELDIN

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Ms A Walker (of Counsel), instructed by S Satha & Co
For the Respondent: Mr J Parkinson, Senior Home Office Presenting Officer

RULING AND DIRECTIONS

1. By Order of the Court of Appeal dated 25 April 2014, this appeal was remitted to the Upper Tribunal for the purpose of determining whether the remaking of the Appellant's appeal should be undertaken in this forum or in that of the First-tier Tribunal (the "FtT").

2. Having considered the submissions of the parties' representatives and having taken into account the relevant Practice Direction, I ruled that remittal to the FtT for the purpose noted is, in the particular circumstances of this case, appropriate.
3. This remittal order is accompanied by the following directions:
 - (a) The case will be heard by a differently constituted panel of the FtT.
 - (b) There will be no preserved findings of fact.
 - (c) The Appellant's representatives will assemble their evidence in its totality within six weeks of 18 June 2014.
 - (d) A composite new bundle of evidence will be served and filed by the Appellant's representatives within eight weeks of 18 June 2014. This will be accompanied by any necessary procedural application.
 - (e) While a case management hearing would seem desirable, I shall leave this discrete decision to the FtT.

Signed:

Seamus McCloskey

THE HON. MR JUSTICE MCCLOSKEY
PRESIDENT OF THE

UPPER TRIBUNAL

IMMIGRATION AND ASYLUM CHAMBER

Date: 18 June 2014