



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: EA/04971/2016
EA/06100/2016

THE IMMIGRATION ACTS

Heard at Civil Justice Centre, Manchester
On 16th July 2018

Decision & Reasons Promulgated
On 17th July 2018

Before

UPPER TRIBUNAL JUDGE COKER

Between

MUHAMMAD WALAYAT
HAZRAN BI

Appellants

And

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr Park, instructed by Walters & Plaskitt solicitors
For the Respondent: Mr Tan, Senior Home Office Presenting Officer

DECISION AND REASONS

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

1. Upon the determination by First-Tier Tribunal Judge Tully promulgated on 25th October 2017 disclosing a material error of law and being set aside on 16th July 2018.

2. And upon the parties agreeing that the evidence establishes the unchallenged findings of fact and that they are the dependent direct relatives of their Danish national son, their appeal against the decision to refuse to issue them with residence cards is allowed.
3. The appeal in the Upper Tribunal is allowed.
4. The decision of the First-tier Tribunal is set aside for legal error.
5. The appeal against the decision giving rise to the appeal in the First-tier Tribunal is allowed.



Date 16th July 2018

Upper Tribunal Judge Coker