



**IN THE UPPER TRIBUNAL**  
**IMMIGRATION AND ASYLUM CHAMBER**

Case No: UI-2024-001594  
UI-2024-001595  
First-tier Tribunal No: HU/61365/2023  
HU/61366/2023

**THE IMMIGRATION ACTS**

**Decision & Reasons Issued:**

On 15<sup>th</sup> of November 2024

**Before**

**UPPER TRIBUNAL JUDGE DANIEL SHERIDAN**

**Between**

**Erik Kondratskyi  
Ionna Kipen**

Appellants

**And**

**Entry Clearance Officer**

Respondent

**DECISION MADE WITHOUT A HEARING PURSUANT TO RULE 34 OF THE  
TRIBUNAL PROCEDURE (UPPER TRIBUNAL) RULES 2008**

**BACKGROUND**

1. The appellants have been granted permission to challenge a decision of Judge of the First-tier Tribunal Haria.
2. On 11 October 2024 the respondent filed a Rule 24 response, stating the following:

1. The respondent to this appeal is the Secretary of State for the Home Department. Documents relating to this appeal should be sent to the Secretary of State for the Home Department, at the above email address.

2. The respondent does not oppose the appellant's application for permission to appeal and invites the Tribunal to remit the matter to the First-tier Tribunal with jurisdiction to hear the appeals.

In the interim, the Entry Clearance Officer has indicated that the applications will be reconsidered after liaising with the applicants. Once any further representations are received by the ECO, it is anticipated that a consideration will be made within 28 days

3. In the light of the Rule 24 response, I am satisfied that it is in accordance with the overriding objective to make a decision without a hearing in the following terms, which reflects the outcome sought by both parties.

**DECISION**

4. The decision of the First-tier Tribunal is set aside and the appeal is remitted to the First-tier Tribunal to be made afresh by a different judge.

**D. Sheridan**  
Judge of the Upper Tribunal  
Immigration and Asylum Chamber

**12.11.2024**