



**UPPER TRIBUNAL
(IMMIGRATION AND ASYLUM CHAMBER)**

APPEAL NUMBER: IA/19172/2014

THE IMMIGRATION ACTS

Heard at: Field House

On: 27 October 2014

Prepared: 6 November 2014

Determination

Promulgated

On 10 November 2014

Before

DEPUTY UPPER TRIBUNAL JUDGE MAILER

Between

**MR VIJAY KUMAR
NO ANONYMITY DIRECTION MADE**

Appellant

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation

**For the Appellant: Ms A Nizami, Counsel (instructed by Pioneer
Solicitors)**

**For the Respondent: Mr S Walker, Senior Home Office Presenting
Officer**

DETERMINATION AND REASONS

1. The appellant is a national of India, born on 28th May 1984. His appeal against the decision of the respondent dated 16th April 2014 to refuse his application for leave to remain in the UK as a Tier 1 (Entrepreneur) Migrant was dismissed by First-tier Tribunal Judge Narayan in a determination promulgated on 12th July 2014. The appeal was determined on the papers.
2. He found that the appellant was not entitled to any points in respect of attributes and access to funds as required under the rules.
3. On 1st September 2014, First-tier Tribunal Judge Page granted the appellant permission to appeal. He found the determination confusing to read. Paragraph 14 ran into nearly two pages. Without identifying any particular arguable error of law, Judge Page simply stated that given the complexity of the issues raised in the application for permission, this was a case where permission to appeal should be granted.
4. Ms Nizami, on behalf of the appellant, gave notice of the withdrawal of the appellant's case. This she did orally at the hearing.
5. Mr Walker did not oppose the giving of such notice of withdrawal.
6. Pursuant to paragraph 17(2) of the Tribunal Procedure (Upper Tribunal) Rules 2008, I consent to the withdrawal.
7. In the circumstances, the Upper Tribunal must notify each party in writing of the withdrawal of the appellant's case under Rule 17 of the 2008 Rules.

Signed

Date 6/11/2014

C R Mailer
Deputy Upper Tribunal Judge