



Upper Tribunal  
(Immigration and Asylum Chamber)

Appeal Numbers: IA/32366/2013  
IA/32368/2013

**THE IMMIGRATION ACTS**

Heard at Field House  
On 05 March 2014

Determination Promulgated  
On 20 March 2014

Before

UPPER TRIBUNAL JUDGE GLEESON

Between

NIXSON JEKAB ANNAMALE  
SAGARIKA PERAMUNA PERAMUNA RALLAGE

Appellants

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

**Representation:**

For the Appellants: Mr N Paramjorthy, Counsel instructed by Capital Legal Solicitors  
For the Respondent: Mr C Avery, Senior Home Office Presenting Officer

**DETERMINATION AND REASONS**

1. The Secretary of State appealed with permission against the determination of First-tier Tribunal Judge Andonian allowing the appeals of the appellants against refusal

to vary their leave to remain in the United Kingdom as a Tier 1 (Entrepreneur) and dependant and to remove them by way of directions under Section 47 of the 2006 Act.

2. Permission was granted by First-tier Tribunal Judge Parkes on the basis that the judge's finding that the Secretary of State had wrongly applied the "extension criteria" to the case was particularly difficult to follow. Having spent some time considering it, Mr Avery has concluded, as indeed the Tribunal had, that the decision is correct and sustainable and he therefore withdrew his opposition to the determination at the appeal.
3. There is therefore no material error of law in the determination which stands.

### **Conclusions**

The making of the decision of the First-tier Tribunal did not involve the making of an error on a point of law.

I do not set aside the decision.

### **Consequential Directions**

Forthwith on receipt of this decision the respondent shall grant the appellant leave to remain for such period as is necessary to give effect to this determination.



Signed

Date

Upper Tribunal Judge Gleeson