



Upper Tribunal  
(Immigration and Asylum Chamber)

Appeal Numbers: OA/06652/2013  
OA/06656/2013  
OA/06659/2013  
OA/06661/2013

**THE IMMIGRATION ACTS**

Heard at Field House  
On 27 February 2014

Determination Promulgated  
On 13 March 2014

Before

MR JUSTICE JAY, SITTING AS A JUDGE OF THE UPPER TRIBUNAL  
UPPER TRIBUNAL JUDGE CRAIG

Between

ENTRY CLEARANCE OFFICER - CAIRO

Appellant

and

MRS ASMAA SHAWKI ABDOU ABDELAZIZ  
MASTER MOHAMMED BAGHAT METWALY AHMED METWALY  
MASTER MAHMOOD BAGHAT METWALY AHMED METWALY  
MISS MAY BAGHAT METWALY AHMED METWALY

Respondents

**Representation:**

For the Appellant: Mr I Jarvis, Home Office Presenting Officer  
For the Respondents: Mr T Aitken, Legal Representative, Richmonds Chambers LLP

**DETERMINATION AND REASONS**

1. This is the Entry Clearance Officer's appeal against the determination of First-tier Tribunal Judge Elvidge, who in a determination promulgated on 19 December 2013,

following hearing at Hatton Cross on 5 December 2013, had allowed the appeals of Mrs Abdelaziz and her children against the Entry Clearance Officer's decision refusing to grant them entry clearance. For ease of convenience, I shall below refer to the Entry Clearance Officer, who was the original respondent, as "the Entry Clearance Officer" and to Mrs Abdelaziz and her children, who were the original respondents, as "the claimants".

2. On behalf of the Entry Clearance Officer, Mr Jarvis informed the Tribunal that the Entry Clearance Officer now wished to withdraw his appeal against Judge Elvidge's decision, because the claimants had subsequently been granted entry clearance. Mr Aitken confirmed that this was correct.
3. It is not necessary to discuss within this determination the merits of this appeal, because, the Entry Clearance Officer having withdrawn his appeal against the decision of the First-tier Tribunal, there is no longer a proper basis on which we could find that the determination of the First-tier Tribunal contained a material error of law, and the consequence is that that decision must stand. It follows that this appeal must be dismissed and we so find.

### **Decision**

**The Entry Clearance Officer's appeal against the decision of the First-tier Tribunal is dismissed; the decision of the First-tier Tribunal, allowing the appellants' appeal is affirmed.**

Signed:

Dated: 27 February 2013

Upper Tribunal Judge Craig