



**Upper Tribunal
(Immigration and Asylum Chamber)**

Appeal Numbers: VA/00430/2013
VA/00434/2013

THE IMMIGRATION ACTS

Heard at Bradford

On 16 June 2014

Determination

Promulgated

On 15 July 2014

Before

UPPER TRIBUNAL JUDGE CLIVE LANE

Between

**MR ZAROOB
MRS RIFFAT PARWEEN**

Appellants

and

ENTRY CLEARANCE OFFICER - ABU DHABI

Respondent

Representation:

For the Appellants: Not present or represented

For the Respondent: Mr Diwncyz, Senior Home Office Presenting Officer

DETERMINATION AND REASONS

1. The appellants, Mr Zaroob and Riffat Parween, are citizens of Pakistan born respectively on 4 November 1978 and 27 April 1984 and are husband and wife. They appealed against the decision of the Entry Clearance

Officer (ECO) Abu Dhabi dated 21 November 2013 to refuse them entry clearance to the United Kingdom as visitors. The appellants applied to visit their United Kingdom sponsor, the first appellant's brother, Mahroof Akhtar (hereafter the sponsor). The appeals of the appellants in the First-tier Tribunal were dismissed by Judge Hillis in a determination promulgated on 4 February 2014. The appellants now appeal, with permission, to the Upper Tribunal.

2. Insofar as the grounds are anything more than a disagreement with the findings of the Immigration Judge, they assert that the appellant, having found that no false document had been used contrary to paragraph 320(7) of the Immigration Rules and having accepted the sponsor was a credible witness should have attached more weight to the documentary evidence relating to the financial circumstances of the appellants.
3. I found that the judge did not err in his approach to or analysis of the evidence. Whilst at [27] the judge found that the respondent had failed to prove that false documents had been used in the application but at [28] he gave reasons for doubting the credibility of the account contained in the documentary evidence. In particular, he did not find it credible the appellants would seek to travel to the United Kingdom for a family holiday when they were expecting the imminent birth of their child. Further, the judge noted that the appellants had provided a copy of a bank statement for the period 1 July 2012 - 31 October 2012. The judge found that the closing balance shown on the account was not consistent with the first appellant's claimed seasonal income. The judge noted that there was "no persuasive evidence before me to show the source of the excess of deposits over his claimed income". Those were clearly findings available to the judge on the evidence and which entitled the judge to find that, whilst false evidence had not been shown to have been used in the application, the evidence provided was unclear or insufficient to discharge the burden of proof which rested upon the appellants. That finding properly led the judge to dismiss the appeal under paragraph 41 of HC 395 and there is, in my opinion, nothing in the grounds of appeal which would indicate that that finding is unsafe in law.

DECISION

4. These appeals are dismissed.

Signed

Date 8 July 2014

Upper Tribunal Judge Clive Lane