



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

Appeal Number: IA/07398/2015

THE IMMIGRATION ACTS

Heard at Manchester

Decision and Reasons

On 8 October 2015

**Promulgated
On 9 October 2015**

Before

Deputy Upper Tribunal Judge Pickup

Between

**Claudine Justine Chua
[No anonymity direction made]**

Appellant

and

Secretary of State for the Home Department

Respondent

Representation:

For the appellant: Not represented

For the respondent: Mr G Harrison, Senior Home Office Presenting Officer

APPEAL ABANDONED

1. This is the appellant's appeal of against the decision of First-tier Tribunal Judge Wedderspoon promulgated 11.6.15, dismissing on immigration grounds but allowing on human rights grounds the appellant's appeal against the decision of the Secretary of State, dated 27.1.15 to refuse leave to remain in the United Kingdom. The Judge heard the appeal on 1.6.15.
2. First-tier Tribunal Judge Cox granted permission to appeal on 27.8.15.
3. Thus the matter came before me on 8.10.15 as an appeal in the Upper

Tribunal.

4. The appellant was granted 30 months leave to remain, in accordance with the decision of the First-tier Tribunal.
5. As pointed out in the Secretary of State's Rule 24 response, by the operation of section 104(4A) of the 2002 Act, an appeal under section 82(1) shall be treated as abandoned if the appellant is granted leave to remain in the UK.
6. A faxed letter from the appellant's representatives expressly agrees that the appeal should be treated as abandoned and thus there was no attendance by or on behalf of the appellant at the hearing before me.
7. There is thus no valid appeal before the Tribunal. By the operation of Rule 17A of the Tribunal Procedure (Upper Tribunal) Rules 2008, the Tribunal is required to notify



Signed

Deputy Upper Tribunal Judge Pickup

Dated

Anonymity

I have considered whether any parties require the protection of any anonymity direction. No submissions were made on the issue. The First-tier Tribunal did not make an order. Given the circumstances, I make no anonymity order.

Fee Award

Note: this is not part of the determination.

In the light of my decision, I have considered whether to make a fee award (rule 23A (costs) of the Asylum and Immigration Tribunal (Procedure) Rules 2005 and section 12(4)(a) of the Tribunals, Courts and Enforcement Act 2007).

I have had regard to the Joint Presidential Guidance Note: Fee Awards in Immigration Appeals (December 2011).

I make no fee award.

Reasons: The appeal has been abandoned.



Signed

Deputy Upper Tribunal Judge Pickup

Dated