



**Upper Tribunal
(Immigration and Asylum Chamber) Appeal Number: IA/22430/2012**

THE IMMIGRATION ACTS

**Determined at Field House
On: 16 September 2015**

**Notice sent
On: 16 September 2015**

Before

**UPPER TRIBUNAL JUDGE RINTOUL
UPPER TRIBUNAL JUDGE FRANCES**

Between

PREETI ATUR PIMPALGAONKAR

Appellant

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

NOTICE OF WITHDRAWAL AND REASONS

1. On 10 August 2015 we gave a ruling on a preliminary matter and directed as follows:
 1. The appellants must within 14 days serve on the Upper Tribunal and on the respondent detailed written submissions particular to their individual circumstances, identifying why, in the light of our preliminary conclusions, the First-tier Tribunal erred in dismissing their individual appeals on article 8 grounds.
 2. The appellants must also within 14 days inform the Upper Tribunal if they wish for a further oral hearing at which the matters raised in the submissions made at (1) above are to be further argued.
 3. In the absence of such submissions being made, or a requires for a further hearing, it will be assumed that the appellant in

question wishes to withdraw his appeal before the Upper Tribunal and a decision to that effect will be made without any further hearing or notice to the appellant.

2. The appellant has not made submissions in respect of her case, nor has she requested an oral hearing. Her husband requested that his appeal (to which her is linked) be withdrawn and a decision to that effect was issued. Despite her representatives indicating orally that nonetheless she wished to proceed, she has not complied with directions. Accordingly, we consider that we are entitled to conclude that she has nothing more to say and wishes to withdraw her appeal.
3. Consent of the Upper Tribunal is required for a party to withdraw its case. Having carefully considered the facts of this appeal as a whole, and observing that the respondent was the successful party before the First-tier Tribunal, we give such consent for the case to be withdrawn.
4. Accordingly with our consent, and pursuant to rule 17(5) of the Tribunal Procedure (Upper Tribunal) Rules 2008, this appeal is recorded as "Withdrawn with the consent of the Upper Tribunal". This is a Notice pursuant to rule 17(5) to inform the parties that the appellant's case is withdrawn.
5. The effect of the appellants' case being withdrawn from the Upper Tribunal is that the proceedings before the Upper Tribunal are at an end. There is no appeal before the Upper Tribunal and the First-tier Tribunal's decision shall stand.

Signed

Date: 16 September 2015

A handwritten signature in black ink, appearing to read 'Jonathan Rintoul', written in a cursive style.

Upper Tribunal Judge Rintoul