



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

Appeal Number: IA/39187/2014

**THE IMMIGRATION ACTS**

**Heard at Field House  
On 8 September 2015**

**Decision & Reasons Promulgated  
On 4 November 2015**

**Before**

**UPPER TRIBUNAL JUDGE PERKINS**

**Between**

**AMNA ISLAM**

(ANONYMITY DIRECTION NOT MADE)

Appellant

**and**

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

For the Appellant: The appellant did not appear and was not represented  
For the Respondent: Mr T Wilding, Senior Home Office Presenting Officer

**DECISION AND REASONS**


1. This is an appeal by a citizen of Pakistan born in 1986 against a decision of the First-tier Tribunal dismissing her appeal against a decision of the respondent to remove by way of directions under Section 10 of the Immigration and Asylum Act 1999. There was a dispute about her ability to satisfy the requirements for continued leave as a student. The decision to give removal directions under Section 10 had the effect of bringing to an end any existing leave. It is a decision that the appellant can appeal but not from within the United Kingdom.

2. For reasons that are not clear the appellant made an application to the First-tier Tribunal and the case was listed before First-tier Tribunal Judge Paul who dismissed the appeal. The reason he dismissed the appeal was that there was no jurisdiction to entertain the appeal, the appellant's only right of appeal has to be exercised out of the United Kingdom.
3. Permission to appeal was given. I do not find the grant particularly illuminating.
4. Be that as it may, the appellant did not attend before the Upper Tribunal today. We received a letter from her new solicitors, A Bajwa and Company, indicating that she had been admitted to hospital for emergency treatment and was unable to attend the court today and they requested an adjournment. That application for an adjournment is refused. I take no pleasure in hearing that the appellant had to be admitted to hospital but there is no reason for her to attend the hearing before the Upper Tribunal in person at least until an error of law has been established. Her absence is irrelevant. It may be that her solicitors are aware of that but for whatever reason she did not attend and I do not see her absence as a reason for adjourning the appeal.
5. What I have before me is an appeal against a hearing that should never have taken place. There is nothing before me to suggest that the First-tier Tribunal had any jurisdiction to entertain the appeal.
6. I see no merit whatsoever in the appeal before me and I dismiss the appeal to the Upper Tribunal.

### Decision

The Appellant's appeal is dismissed.

Signed  
Jonathan Perkins  
Judge of the Upper Tribunal



A handwritten signature in black ink, appearing to read 'Jonathan Perkins', written over a horizontal line.

Dated 3 November 2015