



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

Appeal Number: OA/10641/2012
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THE IMMIGRATION ACTS

**Heard at Field House
on 28th May 2015**

**Determination Promulgated
on 29th May 2015**

Before

UPPER TRIBUNAL JUDGE HANSON

Between

**MOHAMED DEEQ ABUKAR
ABDIFATAH ABDI ABUKAR
SAFIYA ABDI ABUKAR
ABUKAR DEREY MUDY**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Miss Loughran instructed by Wilson Solicitors LLP

For the Respondent: Mr R Hopkins - Senior Home Office Presenting Officer.

DECISION AND DIRECTIONS

Following remission of the appeal from the Court of Appeal, by order dated 23rd March 2015, for the purposes of permitting the Tribunal to undertake a reconsideration of the merits of the appeal by conducting a proper Article 8 balancing exercise taking into account the Appellants' circumstances.

And upon the parties agreeing the appeal shall be remitted to the First-tier Tribunal as this task has not been undertaken by that Tribunal to date and to preserve the benefit of the right of an ongoing appeal to the Upper Tribunal, if required

IT IS DIRECTED THAT:

1. The appeal shall be remitted to Taylor House to be heard by a single salaried judge or panel nominated by the Resident Judge on 15th February 2016 at 10.00 AM time estimate 2 hours. Not before First-tier Tribunal Judge Webb, Upper Tribunal Judge Perkins or any judge working at Wilson Solicitors LLP.
2. The parties must file and serve consolidated, indexed, and paginated bundles of all the evidence they intend to rely upon no later than 4.00pm 29th January 2016. Evidence not filed in accordance with this direction shall not be admitted without the express permission of the First-tier Tribunal in relation to which an application for permission must be filed before the expiration of the permitted time with a detailed explanation for the delay and proposed date of filing.
3. A Somali Afreerhamar interpreter is required.

Signed.....
Upper Tribunal Judge Hanson

Dated the 28th May 2015