



**The Upper Tribunal
(Immigration and Asylum Chamber) Appeal number: IA/53592/2013**

THE IMMIGRATION ACTS

**Heard at Birmingham
On February 23, 2016**

**Decision & Reasons Promulgated
On February 24, 2016**

Before

DEPUTY UPPER TRIBUNAL JUDGE ALIS

Between

**MR FARHAJ CHATTA
(NO ANONYMITY DIRECTION MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

Appellant

Mr Skyner, Counsel, instructed by M-R Solicitors

Respondent

Mr Richards (Home Office Presenting Officer)

DECISION AND REASONS

1. The appellant is a national of Pakistan. He claimed to have come to the United Kingdom in 1994 but at an earlier hearing Judge of the First-tier Tribunal Prickett found that he arrived no earlier than 2000. On February 19, 2013 applied to remain on length of time here. The respondent refused his application on November 21, 2011 as she was not satisfied the appellant met the requirements of paragraph 276ADE of HC 395 or warranted a grant of leave outside of the Immigration Rules.
2. The appellant appealed against that decision under section 82(1) of the Nationality, Immigration and Asylum Act 2002 on December 16, 2013.

3. The matter was heard by Judge of the First-tier Tribunal Tully on February 26, 2015 and in a decision promulgated on March 5, 2015 the Tribunal refused his application.
4. The appellant applied for permission to appeal on March 16, 2015 submitting the Tribunal had erred. Judge of the First-tier Tribunal Page refused permission and permission was renewed to the Upper Tribunal on May 26, 2015. In a decision dated July 8, 2015 Upper Tribunal Judge Taylor made it clear that there was no merit in the grounds of appeal but regrettably the heading was incorrect for two reasons:
 - a. The applicant was referred to as the respondent as against the appellant.
 - b. Permission was granted as against refused.
5. Mr Skyner accepted that Upper Tribunal Judge Taylor had rejected the grounds of appeal and the errors referred to in paragraph 4(a) and (b) were not material as the body of the decision made clear Upper Tribunal Judge Taylor's thought process.
6. She concluded that the assessment of credibility was a matter for the First-tier Judge and in the absence of an error in law the decision would not be interfered with.
7. I find there was no error of law for the reasons given by Judge of the First-tier Tribunal Page and Upper Tribunal Judge Taylor and the decision of Judge of the First-tier Tribunal Tully shall stand.
8. The First-tier Tribunal did not make an anonymity direction and I see no reason to make an order at this stage.

DECISION

9. There was no error in law. The First-tier decision shall stand.

Signed:

Dated:



Deputy Upper Tribunal Judge Alis

TO THE RESPONDENT
FEE AWARD

I have dismissed the appeal and therefore there can be no fee award.

Signed:

Dated:

A handwritten signature in black ink, appearing to read 'SPAL' with a flourish underneath.

Deputy Upper Tribunal Judge Alis