



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

Appeal Number: HU/02027/2020

THE IMMIGRATION ACTS

**Decision Made Without a Hearing
On 27 April 2021**

**Decision & Reasons Promulgated
On 06 May 2021**

Before

UPPER TRIBUNAL JUDGE SHERIDAN

Between

NNEKA HELEN URUBUSI

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

DECISION AND REASONS

1. I have decided, pursuant to rule 34 of the Tribunal Procedure (Upper Tribunal) Rules 2008, to decide this appeal without a hearing. This is because the parties are in agreement that the decision should be set aside and remitted to the First-tier Tribunal to be heard afresh. The respondent's rule 24 response states that the application for permission to appeal is not opposed and invites the Upper Tribunal to remit the matter to the First-tier Tribunal for a fresh hearing.
2. The reason the parties (and I) agree that the decision should be set aside and heard afresh is that the appellant did not receive notification of the hearing, which proceeded in her absence.
3. The decision of the First-tier Tribunal is set aside and the appeal is remitted to the First-tier Tribunal to be heard afresh by a different judge.

Signed

D. Sheridan
Upper Tribunal Judge Sheridan

Dated: 27

April 2021