



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: HU/15747/2019

THE IMMIGRATION ACTS

Heard at Cardiff Civil Justice Centre
On 16 September 2021

Decision & Reasons Promulgated:
08 November 2021

Before

UPPER TRIBUNAL JUDGE GRUBB

Between

DELANEY MAKIA AKWO-NKWELLE

Appellant

and

THE ENTRY CLEARANCE OFFICER, SHEFFIELD

Respondent

Representation:

For the Appellant: Mr H Dieu instructed by Edward Marshall Solicitors
For the Respondent: Mr M Dwinyecz, Senior Home Office Presenting
Officer

NOTICE OF DECISION

1. Both subparagraphs of rule 40(3) of the Tribunal Procedure (Upper Tribunal) Rules 2008 (SI 2008/2698 as amended) apply to this decision.
2. The decision of the First-tier Tribunal (Judge Cohen) sent out on 10 February 2021 is erroneous in law. I set it aside.
3. The appeal is remitted to be determined by the First-tier Tribunal *de novo* at an oral hearing before a judge other than Judge Cohen at the Newport Hearing Centre.

Signed

A Grubb
Judge of the Upper Tribunal
16 September 2021