



Neutral Citation Number: [2022] EWHC 2556 (Admin)

Case No: CO/2872/2022

**IN THE HIGH COURT OF JUSTICE**  
**KING'S BENCH DIVISION**  
**ADMINISTRATIVE COURT**  
**SITTING IN LEEDS**

1 Oxford Row,  
Leeds LS1 3BG

11<sup>th</sup> October 2022

**Before:**

**MR JUSTICE FORDHAM**

**Between:**

**DINESHKUMAR BHIMSINHI  
THAKOR AKA PARMAR**

**Claimant**

**- and -**

**SECRETARY OF STATE FOR THE HOME  
DEPARTMENT**

**Defendant**

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**TNA Solicitors for the Claimant**

**Government Legal Department for the Defendant**  
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## **Determination as to Venue**

I direct that no official shorthand note shall be taken of this Judgment and that copies of this version as handed down may be treated as authentic.

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**THE HON. MR JUSTICE FORDHAM**

**MR JUSTICE FORDHAM:**

1. This is a judicial determination on the papers, but where it is, in my judgment, appropriate to give reasons by way of a short judgment. This is a claim for judicial review whose target is a 9 May 2022 decision of the Secretary of State refusing the Claimant's further asylum and human rights submissions. The claim was filed in London on 8 August 2022. The Claimant lives in Leeds (LS6) and the Claim Form acknowledged that the claim had not been filed in the region "with which the claim is most closely connected". The reasons for filing in London were given as follows: "The case turns on the important legal issues, therefore we are issuing in London as it is closest to the instructing solicitors and Counsel". Following a minded to transfer order ("MTTO") made on 26 August 2022 both parties (2 September 2022) advocate the case staying in London. Their shared reasons are that they have instructed London Counsel and any hearing in Leeds will involve additional burdens as to time and cost and could impact on availability. They emphasise that there will be no oral evidence and the Claimant is said not to wish to attend any hearing where submissions will be made. The Claimant's solicitors are in Folkestone (CT20) and the Defendant's in London (SW1H).
2. I have not been persuaded by these submissions. I see nothing in the issues which mean they cannot be properly addressed by the Administrative Court in Leeds ("ACL"), and this point has properly not been pursued. It has been accepted on behalf of the Claimant, and is not contested by the Defendant, that the claim has its closest connection with ACL and the presumption is that is where it should be dealt with. That was recognised when the claim was filed. The Claimant's chosen Counsel is from a set of chambers with bases in Birmingham, London and Bristol. I accept that travel will be needed and that there are cost and time implications to consider. On the other hand, instructing London Counsel ought not in my judgment normally 'drive' a London choice of venue becoming self-fulfilling. GLD tell me that it was "in light of this claim being lodged in the London Administrative Court" that "London Counsel has been instructed to respond". There are answers to that. It could be seen from the claim form that the venue with which the claim is most closely connected had not been chosen, and it was on the cards that an MTTO would arise in this case. A prompt consideration of venue could have been sought, with an extension of time for the Acknowledgment of Service. The AOS and summary grounds will have been directed at what is in the first instance a paper stage. The Defendant can choose whether to switch Counsel from the panels or send the same London-based Counsel to Leeds. In my judgment, in all the circumstances, ACL is the appropriate venue and where this case should have been issued. Neither the Claimant's choice of London nor the geography of the lawyers who have been instructed, nor any of the other features of the case, alter those truths. Transfer to ACL is the appropriate course.