



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

Appeal Number: VA/16589/2012
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THE IMMIGRATION ACTS

**Heard at Glasgow
on 8 July 2013**

**Determination
promulgated
On 9 July 2013**

Before

UPPER TRIBUNAL JUDGE MACLEMAN

Between

**FAIQA NAZ
MUHAMMAD TAHA**

Appellants

and

ENTRY CLEARANCE OFFICER, PAKISTAN

Respondent

For the Appellant: No legal representative; sponsor present
For the Respondent: Mr A Mullen, Senior Home Office Presenting Officer

DETERMINATION AND REASONS

- 1) The appellants are mother and son, citizens of Pakistan. The respondent refused their applications for family visit visas, due to inadequacy of evidence. Their appeals against those decisions came before First-tier Tribunal Judge Mrs Debra Clapham on 15 January 2013. The sponsor did not attend, although there had been an indication that he would. The judge noted that the relevant notices of hearing had been duly issued. She decided to proceed with the hearing in the absence of the sponsor and dismissed the appeals, again for inadequacy of the evidence.

- 2) A First-tier Tribunal Judge refused permission to appeal on 1 March 2013.
- 3) The appellants renewed their application for permission to appeal, now claiming that neither they nor the sponsor had received notice of hearing. On 22 April 2013, a Judge of the Upper Tribunal granted permission to appeal, although noting that it was curious that the application for permission made to the First-tier Tribunal had not made the claim that neither the sponsor nor the appellants received notice of the hearing.
- 4) The sponsor attended the hearing in the Upper Tribunal on 8 July 2013. As to non-attendance in the First-tier Tribunal he said, "I was unwell and I did not know". I asked which of those two different reasons explained his non-appearance. He said that he was ill; he totally forgot about the date of the hearing; he was unable to do anything about it because he was suffering from fever; but he did receive notice, and did know the date fixed.
- 5) There is nothing to suggest that the making of the decision of the First-tier Tribunal involve the making of any error on a point of law. The appeal to the Upper Tribunal is dismissed. The determination of the First-tier Tribunal stands.
- 6) No order for anonymity has been requested or made.



8 July 2013
Judge of the Upper Tribunal