



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

Appeal Number: IA/13980/2014

THE IMMIGRATION ACTS

**Heard at Field House
On 1st May 2015**

**Decision &
Promulgated
On 15th May 2015**

Reasons

Before

DEPUTY UPPER TRIBUNAL JUDGE M A HALL

Between

**LOVELY BEGUM
(ANONYMITY ORDER NOT MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr I Khan of Universal Solicitors

For the Respondent: Mr C Avery, Senior Home Office Presenting Officer

NOTICE OF WITHDRAWAL

1. The Appellant was granted permission to appeal to the Upper Tribunal against the decision of Judge of the First-tier Tribunal Napthine promulgated on 7th November 2014, who dismissed her appeal against the Respondent's decision dated 6th March 2014, to refuse to vary leave and remove the Appellant from the United Kingdom.
2. At a hearing on 25th February 2015 the decision of the First-tier Tribunal was set aside as I found an error of law in that Article 8 of the 1950

European Convention on Human Rights had been raised as a Ground of Appeal but no findings had been made in relation to Article 8. The hearing had been adjourned so that the decision could be re-made in relation to Article 8.

3. Mr Khan indicated that the Appellant now wished to withdraw her appeal. Rule 17(2) of The Tribunal Procedure (Upper Tribunal) Rules 2008 states that a notice of withdrawal will not take effect unless the Upper Tribunal consents to the withdrawal. Mr Avery had no comment to make on the withdrawal application.
4. I therefore agreed to the withdrawal of the appeal. There is consequently no appeal before the Upper Tribunal. The Respondent's decision dated 6th March 2014 to refuse to vary leave to remain and to remove the Appellant from the United Kingdom therefore stands.

No anonymity order is made.

Signed

Date 1st May 2015

Deputy Upper Tribunal Judge M A Hall