



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

Appeal no: **EA/ 00988/2016**

THE IMMIGRATION ACTS

At **Field House**
On **27.02.2018**

Decision & Reasons Promulgated
On 01.03.2018

Before:

Upper Tribunal Judge **John FREEMAN** and
deputy Upper Tribunal Judge **Satvinder JUSS**

Between:

Prasantha SUBRAMANIAM

appellant

and

Secretary of State for the Home Department

respondent

Representation:

For the appellant: *Adeel Malik* (counsel instructed by Ratna & Co)

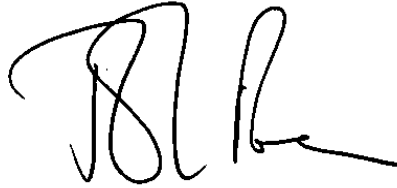
For the respondent: Mr S Kotas

DECISION AND REASONS

This is an appeal, by the appellant, against the decision of the First-tier Tribunal (Upper Tribunal Judge Christine Martin, sitting as a first-tier judge at Manchester on 2 May 2017), to dismiss for want of jurisdiction an EEA extended family member appeal by a citizen of Sri Lanka, born 1986.

2. The decision under appeal was based on *Sala* (EFMs: Right of Appeal: Albania) [2016] UKUT 411 (IAC). As that decision was disapproved in *Mohd. Yasir Khan & another* [2017] EWCA Civ 1755, the parties are agreed that the appeal will have to be heard afresh in the First-tier Tribunal. Since the appellant lives in Ilford, that will be at Taylor House.

**Appeal allowed: decision set aside
Fresh hearing before any first-tier judge**

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(a judge of the Upper Tribunal)

Date: 01 March 2018