



Federal Court of Australia

District Registry: Queensland

Division: General

No: QUD 457 of 2023

AGYAPAL SINGH

Applicant

**MINISTER FOR IMMIGRATION, CITIZENSHIP AND MULTICULTURAL
AFFAIRS**

First Respondent

ADMINISTRATIVE APPEALS TRIBUNAL

Second Respondent

ORDER

JUDGE: JUSTICE SARAH C DERRINGTON

DATE OF ORDER: 18 December 2023

WHERE MADE: Brisbane

THE COURT ORDERS, BY CONSENT, THAT:

1. A writ in the nature of certiorari be issued to quash the decision of the Second Respondent dated 19 September 2023.
2. A writ in the nature of mandamus be issued directing the Second Respondent to reconsider and re-determine the matter according to law.
3. The First Respondent pay the Applicants' costs to be agreed or assessed.

THE COURT NOTES THAT:

- A. The First Respondent concedes that the Second Respondent made a jurisdictional error by illogically weighing the consideration of extent of impediments if removed against the Applicant despite finding that the Applicant would face impediments if removed.

Date that entry is stamped: 18 December 2023



Sia Lagos
Registrar