



Appeal number: CA/2014/0003

**FIRST-TIER TRIBUNAL
(CHARITY)**

RUBY BANO KHAN

Appellant

- and -

**THE CHARITY COMMISSIONERS FOR
ENGLAND AND WALES**

Respondents

TRIBUNAL: JUDGE ALISON MCKENNA

Sitting in Chambers on 22 May 2014

Having heard Tony George for the Respondents at a telephone directions hearing and the Appellant not attending

IT IS DIRECTED that

1. The Tribunal is satisfied that the Appellant has received 14 days' notice of today's telephone directions hearing and considers that it is in the interests of justice to proceed with the hearing in her absence (rule 36);
2. The Tribunal considers that the Appellant has failed to co-operate with the Tribunal to such an extent that the Tribunal cannot deal with these proceedings fairly and justly and proposes to strike out her appeal unless, within 14 days, the Appellant makes representations showing why the appeal should not be struck out (rules 8 (3) (b) and 8 (4));
3. If the Appellant is suffering from a medical condition which prevents her from participating in the proceedings for a period of time but wishes to continue with her appeal when she is well enough, then she is to provide the Tribunal with medical evidence confirming the nature of her illness and its likely duration within 14 days. If this is the case then the Tribunal will convene a further directions hearing to hear from the Appellant as soon as she is well enough to attend.

REASONS

4. The Appellant filed her appeal with the Tribunal on 25 February 2014. The Charity Commission filed its Response on 25 March 2014.
5. The Appellant has not responded to the Tribunal's requests to confirm whether she wishes to continue with her appeal, whether she wishes to file a Reply, or whether she is available for a telephone directions hearing. She was served with notice of today's hearing in accordance with rule 34 but did not respond and did not attend.
6. The Tribunal received an e mail from the Appellant on 15 April stating that she was ill but she did not explain what the effect on her appeal was or what she was asking the Tribunal to do. She referred to seeing a doctor in 2 or 3 weeks but that time has now passed and she has not been back in touch with the Tribunal office. The Charity Commission has not heard from her since the end of March and Mr George informed me today that the order which is the subject of her appeal has not yet been fully complied with, although the Charity Commission did give her more time to comply with it as she requested. In the circumstances the Charity Commission takes the view that the appeal has no prospect of success.
7. If the Tribunal does not hear from the Appellant within 14 days then the appeal will be struck out without further reference to the parties.

PRINCIPAL JUDGE
22 May 2014

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