



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr N Murray

**First Respondent:** Mr P Aspinall

**Second Respondent:** Cranfield University

**Third Respondent:** Ms J Moore

## JUDGMENT

- 1) The following claims by the Claimant are dismissed on the basis they are withdrawn by him:
  - a) The Claimant's Equal Pay claim against the Second Respondent;
  - b) The Claimant's claim against the Second Respondent that his alleged dismissal was an act of direct discrimination because of the protected characteristic of disability;
  - c) The Claimant's claim against the Second and Third Respondents that he was directly discriminated against, alternatively harassed, because of the protected characteristic of disability;
  - d) The Claimant's claim against the Second and Third Respondents that he was indirectly discriminated against by reference to the protected characteristic of disability; and
  - e) The Claimant's claim that the Second Respondent acted in breach of his contract of employment in its handling of his redundancy.

## REASONS

- 1) Following preliminary hearings on 4 November 2016 and 2 February 2017 I made two Orders which required the Claimant to pay deposits as a condition of continuing with certain aspects of his complaints. On 10 February 2017 the Claimant emailed the Tribunal to inform it that he would not be pursuing those claims in respect of which deposit orders had been made. When he emailed the Tribunal the second Order had not then been issued by the Tribunal office. I believe that Order was sent to the parties on 20 February

2017. It extended time for compliance with the deposit orders made following the hearing on 4 November 2016 and allowed the Claimant a period of 7 days in which to pay the further deposit which, following the hearing on 2 February 2017, I had ordered he should pay. On the basis that the second Order had not been issued to the parties I considered it prudent to allow a further 7 days before taking any further action on the Claimant's email.

- 2) Following enquiries of HMCTS Finance Support Centre, I am satisfied that no deposits have been paid by the Claimant. In the circumstances I shall treat the Claimant's email dated 10 February 2017 as notice that he withdraws the entirety of his claims which are the subject of deposit orders. Pursuant to Rule 52 of the Employment Tribunals Rules of Procedure the claims are dismissed on withdrawal by him.
- 3) I have arranged for a further preliminary hearing in relation to the remaining claims. It has been listed at Bedford Employment Tribunal, 8 – 10 Howard Street, Bedford MK40 3HS to start at 10.30am or so soon thereafter as possible on 26<sup>th</sup> May 2017. A separate Notice of Hearing will be issued to the parties. Two hours have been allocated for the hearing, though the parties are to inform the Tribunal if they believe the hearing is capable of being disposed of within one hour.

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Employment Judge Tynan, Bedford

Date: 10th March 2017

ORDER SENT TO THE PARTIES ON

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FOR THE SECRETARY TO THE TRIBUNALS