



EMPLOYMENT TRIBUNALS

Claimant: Miss M Itobore

Respondent: TJ Generation Ltd

JUDGMENT ON RECONSIDERATION

The respondent's application dated 30 March 2017 for reconsideration of the judgment sent to the parties on 15 March 2017 is refused.

REASONS

1. Rule 72(1) of the 2013 Rules of Procedure empowers me to refuse an application for reconsideration of a judgment if I consider that there is no reasonable prospect of the original decision being varied or revoked. The test is whether it is necessary in the interests of justice to reconsider the judgment (rule 70).
2. By letter of 12 April 2017 the respondent was directed to file a proposed response form setting out the basis upon which the claim would be defended if the rule 21 judgment were to be revoked upon reconsideration. The response form was to be filed no later than 26 April 2017.
3. In anticipation of such a form being filed the reconsideration hearing was listed for 2 June 2017.
4. The respondent sent an email on 27 April 2017 saying the form had been sent by post. The Tribunal staff replied the same day saying it had not been received and inviting the respondent to provide some explanation as to why it had not been filed within the time required.
5. By 12.30pm on Thursday 4 May 2017 no response form had been received, nor any explanation for the delay offered.

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6. In the absence of grounds on which the claim might be resisted were the judgment to be revoked, there is no point revoking the judgment. There is therefore no reasonable prospect of the original decision being varied or revoked. The application for reconsideration is refused.
7. The hearing listed for 2 June 2017 is cancelled. The judgment sent to the parties on 15 March 2017 stands.

Employment Judge Franey

4 May 2017

JUDGMENT SENT TO THE PARTIES ON

10 May 2017

AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE