



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

**Mr L Shahid Hussain**

**v William Morrison Supermarkets Plc**

## COSTS JUDGMENT

The claimant is ordered to pay costs to the respondent in the sum of £325 plus VAT.

## REASONS

1. On 2 June 2017, a preliminary hearing in this case was scheduled to take place at Watford Employment Tribunal in respect of the claimant's claims for unfair dismissal, disability discrimination and breach of contract. The respondent had instructed counsel to attend the PH. Neither the claimant nor his representative attended, and the respondent made an application for the costs of Counsel's attendance in the sum of £325 plus VAT.
2. The claimant's claim was struck out by order of the Employment Judge on 9 June 2017, on the basis it had not been actively pursued. The claim was not in fact reinstated. However, on 31 July 2017 the claimant purported to withdraw all his claims before the tribunal. A further judgment was made by the Employment Judge, dismissing the claims on withdrawal on 13 October 2017.
3. A further and renewed application for costs was made by the respondent on 1 November and repeated on 9 December 2017, copied to the claimant. The application was made on the basis that the claimant had behaved unreasonably in the way the proceedings had been conducted, and that it would be just for the claimant to be ordered to pay the respondent's costs of Counsel's attendance at the preliminary hearing. The claimant did not further communicate with the tribunal, either to object to this application or otherwise.

4. Accordingly, and pursuant to rule 74 to 77 of the Employment Tribunals Rules of Procedure 2013, there being no opposition to the application, an order for costs is made in accordance with the respondent's application.

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Employment Judge Sigsworth

Date: .....30/1/18.....

Sent to the parties on: .....

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For the Tribunal Office