



EMPLOYMENT TRIBUNALS

Claimant: Mr R Anderson

Respondent: Car Carrying Limited (in liquidation)

JUDGMENT

The Claimant's application dated 25 July 2018 for reconsideration of the Judgment sent to the parties on 6 July 2018 is refused.

REASONS

1. The Claimant's application for a reconsideration was made late. By email sent to the Tribunal on 11 July 2018 the Claimant intimated an intention to apply for a reconsideration and asked that the time for doing so be extended. As I was absent from the Tribunal, application received no response from myself or any other Judge. Time was not extended.

2. In any event, the grounds of the application for reconsideration are essentially that the Judgment was wrong and that further evidence could have been presented by the Claimant at the hearing. The Claimant is seeking to re-litigate points which were fully considered at the hearing and rejected in the Judgment for the reasons given. Disagreement with the findings and decision of the Tribunal is not a valid ground for reconsideration.

3. The underlying public policy principle is that there should be finality in litigation. Where, as here, evidence was available at the hearing then it was for the Claimant to put it before the Tribunal. It is not in the interests of justice that parties have a second bite of the cherry because they have failed to adduce all the evidence available to them in support of their claim.

4. The hearing took place on 21 June 2018. Mr Glander died on 27 June 2018. The Respondent was placed into liquidation on 28 June 2018. The Tribunal and the Claimant were aware at the hearing that Mr Glander was terminally ill. None of this is proper grounds for a reconsideration.

5. Having considered the grounds of the application, I conclude that it is not necessary to reconsider the Judgment in the interests of justice. None of the matters raised by the Claimant are such that they would give any reasonable prospect of original decision being varied or revoked.

Employment Judge Russell

20 August 2018