



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

Mrs E Darling

v

The Entertainment Department UK Ltd

**Heard at:** Huntingdon

**On:** 30 May 2019

**Before:** Employment Judge Ord

**Appearances**

**For the Claimant:** In person.

**For the Respondent:** Mr N Shah, Solicitor.

## ORDER SETTING ASIDE JUDGMENT

1. The Judgment hearing dated 14 February 2019 is set aside. The response submitted by the respondent on 17 January 2019 is accepted as the respondent's response to the claimant's claim.

## REASONS

1. On 14 February 2019 the tribunal issued a judgment on the basis that the respondent had failed to file a response in this matter.
2. The response was due to be received by the tribunal by not later than 17 February 2019 and on that date the respondent had submitted a response by email.
3. That response had not reached the file by the time the matter was considered by Employment Judge Moore. She therefore issued a judgment on the basis that the claim was not defended (had not been responded to).
4. The judgment was wrongly entered as the respondent had submitted a response. In those circumstances it is in the interests of justice to set aside the judgment and allow the case to proceed on its merits.

5. For those reasons the judgment is set aside.

---

Employment Judge Ord

Date: 4 June 2019

Sent to the parties on: ..13.06.19.....

.....  
For the Tribunal Office