



**EMPLOYMENT TRIBUNALS**

**Claimant  
Mrs S Tripathy**

**v**

**Respondent  
Zotefoams plc.**

**JUDGMENT ON RECONSIDERATION APPLICATION**

The claimant's application dated 10 June 2019 for a reconsideration of the judgment sent to the parties on 3 April 2019 with reasons on 4 June 2019 is refused because there is no reasonable prospect of the original decision being varied or revoked.

**REASONS**

1. In a Judgment sent to parties on 3 April 2019 with reasons on 4 June 2019, the Employment Tribunal dismissed the claimant's claims of direct and indirect colour and nationality discrimination.
2. In an email to the Tribunal dated 10 June 2019, the claimant has set out at some length her disagreement with the findings of the Tribunal. The Tribunal has treated this email as an application for a reconsideration of the Tribunal judgment. In essence, the claimant explains why the Tribunal should not have found the facts it did on the basis that it did. The email sets out certain questions which are answered by the claimant. It also says that the Tribunal proceeded on a false witness statement.
3. Rule 70 of the Employment Tribunal Rules of Procedure 2013 provides:  
"A Tribunal may, either on its own initiative (which may reflect a request from the Employment Appeal Tribunal) or on the application of a party, reconsider any judgment where it is necessary in the interests of justice to do so. On reconsideration, the decision ("the original decision") may be confirmed, varied or revoked. If it is revoked it may be taken again."
4. In the reasons for the Judgment, at paragraph 50 specifically, the Tribunal state that it accepted the evidence of Ms Haylock and Ms Herbert where there was any difference between their evidence and that of the claimant. There were indeed a number of points of difference in evidence which are addressed in the reasoning. There is nothing in the content of the application for reconsideration to provide a basis to do so. The interests of justice are not served in these circumstances and where no unavailable new evidence is put forward.

5. The Tribunal considers that there are no grounds for reviewing the judgment within the scope of its powers of reconsideration under Rule 70 of the Employment Tribunal Rules of Procedure 2013.

6. The claimant's application for reconsideration of the Judgment sent to the parties on 3 April 2019 with reasons on 4 June 2019 is refused because there is no reasonable prospect of the original decision of the Tribunal being varied or revoked.

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**Employment Judge Truscott QC**

**Date 17 June 2018**