



EMPLOYMENT TRIBUNALS

Claimant: Mr T Grocott

Respondent: Meadowbank Shotblasting & Coatings Ltd

UPON APPLICATION made by email dated 3 September 2019 to reconsider the Judgment under rule 71 Employment Tribunals Rules of Procedure 2013 dated 21 August 2019 and without a hearing,

JUDGMENT

1. The judgment is revoked.
2. Case management directions leading to a final hearing on 11 November 2019 will be provided separately.

REASONS

It is in the interests of justice that the Judgment issued pursuant to Rule 21 of the Employment Tribunals Rules of Procedure be revoked. The respondent's explanation for its lack of response is that it did not receive the claimant's complaint when the tribunal attempted to serve it. Whilst the claimant may have understandable scepticism as to the validity of this explanation, it appears almost inevitable, without evidence to the contrary, that it would be accepted by the tribunal. The respondent has acted promptly in its application for reconsideration. A fair hearing is still possible and indeed, on the basis of revised directions, can take place on the date originally listed. The balance of prejudice is in favour of allowing the respondent to defend a complaint of unfair dismissal in circumstances where the claimant is not prejudiced by any delay.

Employment Judge Maidment

JUDGMENT SENT TO THE PARTIES ON

17 September 2019

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FOR THE TRIBUNAL OFFICE