



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

v

Ms M Sikorska

Brookstreet

## JUDGMENT ON RECONSIDERATION

Upon application made by letter dated 8 July 2019, to reconsider the judgment sent to the parties on 3 April 2019 under Rule 71 of the Employment Tribunal Rules of Procedure 2013 and without a hearing:

### JUDGMENT

1. On the respondent's application for a reconsideration of the Judgment sent to the parties on 3 April 2019, premised on their not having received notice of the claimant's claim against them, on their having moved premises at the material time of service, and on mail not then being redirected from such old address to their new address, or otherwise registered office, and that they had not then received any correspondence from the tribunal pertaining to the claimant's claim and of which they remained ignorant until correspondence was received from the claimant seeking payment on judgment having been entered in her favour.
2. On there being no suggestion that the respondent would have been aware of the claimant having presented a complaint against them, beyond the claimant having engaged ACAS as part of early conciliation, I am satisfied that the respondent was at all material times unaware of the claimant's claim against them, for which they were then unable to enter an appearance or otherwise participate in the proceedings.
3. On the respondent being unaware of the proceedings against them, I find that it is in the interests of justice that the judgment be set aside, and the claimant's claim be re-served on the respondent.
4. The judgment sent to the parties on 3 April 2019 is hereby set aside.

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Employment Judge Henry

Date: 17 / 3 / 2020

Sent to the parties on: 14 / 4 / 2020

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For the Tribunal Office