



EMPLOYMENT TRIBUNALS

Claimant: Mrs H Mahajuodeen

Respondent: Mills Family Ltd

JUDGMENT

Rule 70 the Employment Tribunal Rules of Procedure 2013

1. The rule 21 Judgment dated 11 February 2020 has been reconsidered on the application of the respondent and revoked.
2. Time for filing the response is extended to 12 March 2020.
3. The remedy hearing on 20 May 2020 is converted to a preliminary case management hearing to be heard by telephone.

REASONS

1. The claim form in this matter was properly served on the respondent and a response was due on or before 30 December 2019.
2. On 24 December 2019 consultants acting for the respondent requested an extension of time to present that response which was granted to expire on 13 January 2020.
3. No response was received and on 11 February 2020 I prepared, signed and dated a rule 21 Judgment and sent it to the administration team to be sent to the parties which was done on 26 March 2020.
4. In the meantime those acting for the respondent wrote to the tribunal on 12 March 2020 making a further application for an extension of time to submit the response. They explained that the previous extended deadline had been missed because of an administrative oversight. A proposed response was attached to that application.
5. I considered that application on 17 March but concluded, and informed the parties, that the rule 21 Judgment remained effective notwithstanding that

at that point it had not been sent to the parties and I arranged for that to be done urgently. I advised the respondent that if they wish to defend the matter they must apply for a reconsideration of that judgement.

6. A reconsideration application was then made on 6 April 2020. This application was copied to the claimant from whom no comments have been received.
7. For the reasons set out in the respondent's application, I conclude that it is in the interests of justice and in accordance with the overriding objective to grant the respondent's application.
8. I have extended time to allow the response filed to be accepted and the remedy hearing will be converted back to a telephone preliminary case management hearing.

Employment Judge Andrews
Date: 4 May 2020