



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case No: 113731/2011 (P)

Reconsideration held on 21 September 2020

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Employment Judge I McFatridge

Mr S King

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**Claimant
Written representations**

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Highland Council

**Respondent
Written representations**

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The judgment of the Tribunal dated 2 September 2020 striking out the claim is revoked following reconsideration.

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REASONS

1. I issued a judgment on 2 September 2020 striking out this claim on the basis that the claim was not being actively pursued in terms of rule 37(1)(d). Following this on 15 September 2020 the claimant's representatives wrote to the Tribunal seeking reconsideration of the claim. They narrated a history whereby the claimant had moved address and whilst he had informed the claimant's representative and his details had been updated in one of their databases the address had not been updated

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in the other database which the claimant's representatives used. As a result of this correspondence from the claimant's representatives had gone to the wrong address and had been unanswered.

5 2. I indicated to the parties that I did not reject the application on initial consideration and invited written submissions. On 16 September 2020 the respondent wrote to the Tribunal confirming they did not object to the application.

10 3. In all the circumstances I consider that it is in the interests of justice that the decision to revoke the judgment should itself be revoked. The claim shall now proceed as accords.

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20 **Employment Judge:**
Date of Judgment:
Date sent to parties:

Ian McFatridge
23 September 2020
23 September 2020