



EMPLOYMENT TRIBUNALS

BETWEEN: Mr K King

and Healthcare Environmental Services
Limited (in compulsory liquidation)

Claimant

Respondent

JUDGMENT

The Claimant's application for his claim to be reinstated is refused.

REASONS

1. The Respondent did not enter a defence to the Claimant's claim and the Tribunal therefore wrote to him in March 2019 explaining that he was entitled to a Judgment in his favour if he provided details of what he was claiming. A Judgment was not made at that stage. He replied on 3 April 2019 giving details of what he was claiming. On 10 April 2019 his claim was transferred to the Leeds office of the Tribunals, to be dealt with along with the many others that had been brought against the same Respondent, in accordance with a Presidential Direction.
2. Before a Judgment was made in the Claimant's claim, on 25 April 2019, the Respondent went into compulsory liquidation. That meant that the Claimant's claim, and all the other claims brought against the Respondent, could not continue without the permission of the Court that had oversight of the liquidation. The Tribunal wrote to the Claimant to that effect on 15 May 2019 and explained that his claim could not continue unless he applied to the Court for permission for his claim to proceed. The letter explained that, if he had not obtained the Court's permission within 6 months, the Tribunal would consider striking out his claim on the basis that he was not actively pursuing it.
3. Having not heard from the Claimant, the Tribunal wrote to him again on 20 November 2019 asking him to give reasons by 4 December 2019 why his claim should not be struck out because it had not been actively pursued. The Tribunal did not hear from the Claimant by that date and so his claim was struck out by a Judgment sent to him on 10 December 2019.

4. In his application dated 28 December 2019 (and received on 7 January 2020) for his claim to be reinstated, the Claimant makes no mention of having applied for or received the Court's permission for his claim to proceed.

5. In the light of these facts, the Tribunal cannot identify any grounds for reinstating the Claimant's claim and his application is therefore refused.

Employment Judge Cox
Date: 9 January 2020