



EMPLOYMENT TRIBUNALS

Claimant: Mr R Shunmoogum

Respondent: St George's University Hospitals NHS Foundation Trust

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Heard at: London South (by video conference)

On: 27 October 2020

Before: Employment Judge Kelly (sitting alone)

Appearances

For the claimant: No appearance

For the respondent: Ms L Sellen, a solicitor

JUDGMENT

The judgment of the Tribunal is that:

The Claimant's claims are dismissed on his non-attendance.

REASONS

1. The claimant has not attended this Hearing.
2. Mindful of rule 47, we have considered whether we should dismiss the claim or proceed in the absence of the claimant. We have also considered if we should adjourn the Hearing.
3. We have made enquiries as to the claimant's absence.
4. We checked that the notice of hearing was sent to the claimant's email address provided on the claim form. This happened on 24 August 2020.
5. We arranged for the Tribunal to call the claimant's number. The Tribunal spoke to a relative of the claimant who reported that the claimant was in Mauritius and

suggested he may not be aware of the hearing if he was not checking his emails regularly.

6. We arranged for the Tribunal to call the number of the claimant's representative as stated on the claim form. They informed the Tribunal that they were no longer representing the claimant, and understood him to be representing himself.
7. The respondent had not heard from the claimant since he asked for the postponement of the hearing previously listed for July because he would be abroad.
8. We consider that the claimant has acted unreasonably in failing to attend the Hearing. We consider that he had ample notice of the hearing to allow him to be aware of it even if he is only checking his emails irregularly. If he was unable to attend, he could have applied for an adjournment as he did previously. We consider it to be in line with the overriding objective, in terms of dealing with issues in ways which are proportionate, avoiding delay and saving expense, to dismiss the claim.

Employment Judge Kelly

Signed on: 27 Oct 2020