



EMPLOYMENT TRIBUNALS

Claimant: Mr P Bomis
Respondent: Stovells FA Limited

JUDGMENT

The respondent's application dated **18 November 2020** for reconsideration of the judgment sent to the parties on **18 November 2020** is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, because:

1. The respondent submitted grounds of resistance on 14 May 2020. Having considered this, I prepared a notice and order dated 15 June 2020 setting out why I considered this response had no reasonable prospect of success, requiring the respondent to reply to that notice and order within 21 days.
2. The notice and order warned the respondent that if there was no response to the notice and order their response would be struck out and the case would proceed as if they had never submitted a response. There was no response to that notice and order, and in consequence the grounds of resistance were automatically struck out on 7 August 2020.
3. The judgment of 18 November 2020 followed, under rule 21, from the striking out of the response. In its application for reconsideration the respondent refers back to the lodging of its grounds of resistance. It is accepted that the respondent submitted grounds of resistance, but the difficulty for the respondent is that it did not submit any reply to the notice and order of 15 June 2020, following which that grounds of resistance were struck out and are of no further effect. In such a case it is proper to issue a judgment under rule 21. Referring back to the submission of its grounds of resistance does not assist the respondent, as those grounds of resistance were struck out.

Employment Judge **Anstis**
Date 8 December 2020
JUDGMENT SENT TO THE PARTIES ON
22/12/2020

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FOR THE TRIBUNAL OFFICE