



EMPLOYMENT TRIBUNALS

Claimant: M Cripps

Respondent: Marshall Motor Group

JUDGMENT

The claim is struck out pursuant to Rule 37 of the Employment Tribunal Rules of Procedure on the grounds that the claimant has not complied with the Order of the Employment Tribunal dated 4 September 2020.

REASONS

1. The claim was listed before me today for a telephone preliminary hearing. The claimant did not attend. When enquiries were made as to his whereabouts his partner said that he had sent an e-mail to the Tribunal and would not be attending today. The claimant did then forward an e-mail that he had sent to the Employment Tribunal dated 7 January 2021 which said that he needed another four weeks to prepare as he had been ill for a period of time and asked for a delay so that he could get his case together. It made no mention of his inability to attend today's hearing and there was no explanation for his failure to attend the preliminary hearing.
2. The case is listed for a final hearing on 8 to 10 September 2021. An order was made by the Employment Tribunal on 4 September 2020 requiring the claimant to provide further information by 2 October 2020. He did not provide this information and a letter was sent to him on 20 November 2020 requiring him to provide this information by 4 December 2020. There was no reply to that letter and on 7 January 2021 a letter was sent to the claimant saying that the Tribunal was considering striking out his claim because he had not complied with the order of the Tribunal dated 4 September 2020. He was told that if he wished to object to this proposal he should give his reasons in writing or request a hearing at which

he could make them by 12 January 2021. His response was the email referred to above.

3. I had regard to the overriding objective of seeking to deal with cases fairly and justly but considered that striking out the claim was appropriate having regard to the claimant's complete disobedience of the order dated 4 September 2020.

Employment Judge Lang

Date:... 2/1/21.....

Sent to the parties on:

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For the Tribunal:

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