



Case Number: 2206741/2018

THE EMPLOYMENT TRIBUNAL

SITTING AT:
BEFORE:

**LONDON CENTRAL
EMPLOYMENT JUDGE ELLIOTT**

BETWEEN:

Ms R Kumbharati

Claimant

AND

Network Rail Infrastructure Ltd

Respondent

ON: 22 February 2021

JUDGMENT ON RECONSIDERATION

The Judgment of the Tribunal is that the decision of 2 November 2020 to strike out the claim under Rule 39(4) is revoked.

REASONS

The reason for this decision is that when making the decision on 2 November 2020 the Judge was unaware of the application to reconsider the decision of Employment Judge Davidson that a Deposit be paid under Rule 39. Had the Judge been aware of this application, the claim would not have been struck out under Rule 39(4) pending a decision on the application in relation to Judge Davidson's decision.

**Employment Judge Elliott
Date: 22 February 2021**

Judgment sent to the parties and entered in the Register on: 22 Feb. 21
_____ for the Tribunal