



EMPLOYMENT TRIBUNALS

Claimant: Mr D Nikev
Respondent: *Claim withdrawn (1)*
Claim withdrawn (2)
St Michael's Residential and Educational Services Ltd (3)
Heard at: Considered on the papers
On: 23 February 2021
Before: Employment Judge Adkinson sitting alone

JUDGMENT ON STRIKE OUT

1. The whole of the third respondent's response is **struck out**.
2. The reasons for the strike out are as follows:
3. On 15 August 2020 Employment Judge Broughton informed the third respondent she was considering striking out their response on the grounds that they were not actively pursuing it. She invited the third respondent to explain in writing why their response should not be struck out.
4. The respondent did not reply to that correspondence.
5. The Tribunal therefore concludes, after considering the file, that response is not being actively pursued (**Employment Tribunals Rules of Procedure rule 37(1)(d)**) and so should be struck out.
6. The effect is that the third respondent is to be treated as though they never presented a response to the claim.

Employment Judge Adkinson

Date: 23 February 2021

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.