



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr D Ranasinghe  
**Respondent:** Standard Chartered Bank

## JUDGMENT

The Claimant's application dated 12<sup>th</sup> July 2021 for reconsideration of the Judgment sent to the parties on 30<sup>th</sup> June 2021 is refused under rule 72 of the Employment Tribunals Rules of Procedure 2013. It is not necessary in the interests of justice for this matter to be reconsidered.

## REASONS

1. Following the Judgment given orally on 27<sup>th</sup> May 2021, and provided with written reasons on 12 July 2021 at the Claimant's request, the Claimant now applies for a reconsideration.
2. Under Rule 70 of the Employment Tribunal Rules of Procedure 2013 a Tribunal "may reconsider any judgment where it is necessary in the interest of justice to do so", and upon reconsideration the decision may be confirmed varied or revoked.
3. Rule 72 provides that an Employment Judge should consider the request to reconsider, and if the judge considers there is no reasonable prospect of the decision being varied or revoked, the application shall be refused. Otherwise it is to be decided, with or without a hearing, by the Tribunal that heard it.
4. Under the 2004 rules prescribed grounds were set out, plus a generic "interests of justice" provision, which was to be construed as being of the same type as the other grounds. These were that a party did not receive notice of the hearing, or the decision was made in the absence of a party, or that new evidence had become available since the hearing provided that its existence could not have been reasonably known of or foreseen at the time. The Employment Appeal Tribunal confirmed in Outasight VB Ltd v Brown UKEAT/0253/14/LA that the 2013 rules did not broaden the scope of the grounds for reconsideration.
5. A reconsideration is not a means by which a party can reargue the case that was made at the hearing. Something particular is required to establish

this ground, beyond the fact that the party is disappointed with the decision.

6. In his application for reconsideration the Claimant deals with the merits of his case, referring to having been unfairly terminated, that the Respondent was in breach of contract, that he was treated badly because he is Buddhist and harassed. The merits of the case were not the point of the preliminary hearing. The issue was whether the claim had been presented in time. In relation to those matters Claimant repeats the submissions he made at the preliminary hearing in May, that he took numerous steps locally, the Internet coverage in Sri Lanka was poor and that his connection with English law was strong. He also says his “final settlement with Standard Chartered” was signed in 2014. He says that he did not file a civil action in Sri Lanka; rather one was filed against him.
7. The submissions made by the Claimant are simply an attempt to reargue his case and to repeat or elaborate on submissions that have already been made. The Tribunal has heard and considered the evidence and submissions of both parties and come to a conclusion. The claim is out of time. There are no grounds for a reconsideration and no reasonable prospect of the original decision being varied or revoked.

---

Employment Judge F Spencer  
Dated 28<sup>th</sup> July 2021

JUDGMENT SENT TO THE PARTIES ON

29<sup>th</sup> July 2021.

FOR THE TRIBUNAL OFFICE