



EMPLOYMENT TRIBUNALS

Claimant: Miss N Hossen

Respondent: (1) Jav Gill
(2) Nav Gill
(3) Angels Care at Home Limited

JUDGMENT

The claim is struck out.

REASONS

1. By a letter dated 28 June 2021, the Tribunal gave the claimant an opportunity to make representations or to request a hearing, as to why the claim should not be struck out because

- the claimant had not complied with the Order of the Tribunal dated 26 January 2021 in that she had not sent her relevant documents to the respondent as ordered in paragraph 4.
- it has not been actively pursued.

2. Although the claimant had sent some documents to the Tribunal on 10 March 2021, she had not sent them to the respondent. They wrote to the Tribunal (copied to the claimant) on 28 April 2021 indicating that she was not actively pursuing the claim because she had failed to respond to their attempts to make contact. On 25 June 2021, they wrote to ask whether the full merits hearing listed for 29 to 30 June 2021 would be vacated, from which I inferred that there had been no further response to them by the claimant and, therefore, that the respondent had been unable to agree the bundle of documents for the hearing and there had been no exchange of witness statements. In those circumstances, it was necessary to vacate the hearing and it was proportionate to give the claimant an opportunity to explain why the claim should not be struck out.

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3. The claimant has failed to make representations in writing why this should not be done or to request a hearing. I am therefore of the view, based upon the information in front of me, that the claim is not being actively pursued. It is not proportionate that the respondent or the Employment Tribunal system and other users should spend further resources in relation to a claim which is not being actively pursued. The claim is therefore struck out.

I confirm that these are my judgment with reasons in case number 1403456/2019 and that I have approved the Judgment for promulgation.

Employment Judge George

9 August 2021

JUDGMENT SENT TO THE PARTIES ON

21 September 2021

S. Bhudia

FOR THE TRIBUNAL OFFICE