



EMPLOYMENT TRIBUNALS

Claimant: Mr B Patel

Respondent: WH Smith Retail Holdings Limited

JUDGMENT

1. The claimant's claim of disability discrimination is struck out.
2. The claim of unfair dismissal continues and will start to be heard on Thursday 3 March 2022; the time estimate remains 2 days.

REASONS

1. The claimant was ordered after a case management hearing on 4 August 2021, the record of which (in which the order was recorded) was sent to the parties on 15 August 2021, by 1 September 2021 to state to the tribunal, copying the correspondence to the respondent, in writing why his claim of disability discrimination should not be struck out, or that he was withdrawing that claim.
2. The claimant has failed to comply with the above order, in that he has sent nothing to the tribunal in compliance or purported compliance with it. The respondent's solicitor on 9 September 2021 wrote to the tribunal stating that the respondent had by then received no document complying, or purporting to comply, with that order.
3. The claim of disability discrimination is therefore struck out.
4. The hearing fixed for 3 and 4 March 2022 will therefore now be concerned only with the claimant's claim of unfair dismissal.

Employment Judge Hyams
27 September 2021

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE