



EMPLOYMENT TRIBUNALS

Claimant: Mr D Varsani
Mr V Patel

Respondent: Hilton Ltd t/a Roma Contracts

JUDGMENT

Each claim by each claimant is struck out.

REASONS

1. By a letter dated 12 October 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 for the reasons stated in the Respondent's letter of 15 June 2021. Neither Claimant had written to the tribunal to comment on the 15 June letter, or to object to the applications therein. Neither Claimant wrote to tribunal by 19 October 2021, the deadline stated in the 12 October letter. That is, there were no objections to the strike out proposal and no request for a hearing.
2. In fact, in the meantime, the Respondent's representatives had written to the tribunal again on 4 October 2021, setting out a history of failures by the Claimants to respond to their queries, to help prepare for the hearing and to comply with case management orders. In fact, according to the letter, a failure to reply at all. The letter stated that it was copied to the Claimants and told claimants that they should contact the tribunal if they wished to object to the applications therein. There has been no contact from the Claimants in response.
3. The only contact from either Claimant is Mr D Varsani's email of 15 June 2021 which stated that he was considering withdrawing his claims. (This email is mentioned for completeness. It is completely irrelevant to Mr V Patel's situation, and is not the reason for the strike out decision for Mr Varsani.)

4. Because

- a. the Claimants have failed to comply with Employment Judge Heal's order of 7 February 2021
- b. the Claimants have failed to comply with any of the orders of 3 May 2021
- c. the claims have not been actively pursued

the claims are struck out under Rule 37

2. The hearing fixed for **3 to 5 November 2021** will not take place.

Employment Judge Quill

25 October 2021

JUDGMENT SENT TO THE PARTIES ON

26 October 2021

S. Bhudia

FOR THE TRIBUNAL OFFICE