



EMPLOYMENT TRIBUNALS

BETWEEN

Claimants

Respondent

Ms Melinda-Timea Tineghe
Mr Nicolae Sorostineanu

AND

Ioan Gabriel Nistor
t/a MGM Ventures

JUDGMENT OF THE TRIBUNAL

Heard at: East London Hearing Centre (by Cloud Video Platform)

On: 26 October 2021

Before: Employment Judge A M Buchanan (sitting alone)

Appearances

For the Claimants: No attendance

For the Respondent: In person

JUDGMENT

It is the judgment of the Tribunal that:

1. The name of the respondent is amended to Ioan Gabriel Nistor trading as MGM Ventures.
2. All claims advanced by each of the claimants are struck out on the basis that the claimants have individually failed to comply with the case management orders of the Tribunal issued on 2 June 2021 and also on the basis that the claimants have individually failed to actively pursue the claims advanced to the Tribunal. This decision is made pursuant to Rules 37(1) (c) and (d) of Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 ("the 2013 Rules").

NOTES

1. The claimants did not attend the hearing and did not make any application for an adjournment of the hearing or give any explanation for their non-attendance. I

directed my clerk to telephone the claimants on the numbers provided. Both claimants indicated that they wished to withdraw their claims, and, in those circumstances, they were invited to write to the Tribunal so to confirm. I waited a short time, but no such confirmation was received.

2. In the circumstances. I decided to proceed with the hearing pursuant to Rule 47 of the 2013 Rules. I took full account of the claim forms and all other information provided by the claimants held on the Tribunal file.

3. The respondent had made an application to the Tribunal on 18 October 2021 to strike out the claims advanced on the basis that the claimants had not complied with the case management orders of the Tribunal sent by letter dated 2 June 2021 and also on the basis that the claimants had failed to actively pursue their claims. I decided to deal with that application first. I heard from the respondent to the effect that he had heard nothing from the claimants since the claim forms were filed and I also noted that the claimants had failed to correspond in any way with the Tribunal. I noted the events of this morning to which I refer in paragraph one above. I also noted that the first claimant had been warned that the Tribunal was considering striking out her claim for unfair dismissal on the basis that she did not have two years continuous serve with the respondent and thus had no right to advance any such claim pursuant to section 108 of the Employment Rights Act 1996.

4. I considered the application to strike out the claims and decided to grant the application for the reasons set out above.

5. In the circumstances, all claims advanced are struck out.

6. The respondent raised the question of costs. I referred him to the provisions of Rules 74-84 of the 2013 Rules. If any application for costs is to be made, it must be made in writing and must follow the provisions of those rules.

EMPLOYMENT JUDGE BUCHANAN

26 October 2021