



EMPLOYMENT TRIBUNALS

Claimant: Mr IM Catuneanu

Respondent: AD Williams Wimbledon Limited

JUDGMENT

The Claimant's application dated 11 April 2022 for reconsideration of the Open Preliminary Hearing Judgment sent to the parties on 29 March 2022 is refused.

REASONS

1. Rule 72(1) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 (the "Rules") enable an Employment Judge to refuse an application for reconsideration if they consider that there is no reasonable prospect of the original decision being varied or revoked. The test is whether it is necessary in the interests of justice to reconsider the judgment (Rule 70).
2. Preliminary consideration under Rule 72(1) must be conducted in accordance with the overriding objective which appears in Rule 2, namely that cases should be dealt with fairly and justly. This includes dealing with cases in ways which are proportionate to the complexity and importance of the issues, and avoiding delay. Achieving finality in litigation is part of a fair and just process.
3. The Preliminary Hearing on 7 March 2022 was an Open Preliminary Hearing, in other words a public hearing. The Open Preliminary Hearing Judgment sent to the parties on 29 March 2022 records that recusal was requested and why it was not appropriate. It is not for the parties to decide which Judge should decide their case.
4. It is not in the interests of justice for the decision to be reconsidered. There is no reasonable prospect of the original decision being varied or revoked.

EJ L Burge
22 April 2022

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.