



# EMPLOYMENT TRIBUNALS

**Heard at:** Watford (by video) **On:** 10 June 2022

**Claimant:** Ms Michalina Ciupa

**Respondent:** (1) RTS GRP plc  
(2) Mr Rajesh Voralia

**Before:** Employment Judge Fowell

**Representation:**

**Claimant** No appearance

**Respondent** No appearance

## JUDGMENT

The claim is dismissed.

## REASONS

1. A default judgment has previously been issued against the first respondent, and at a preliminary hearing on 15 December 2021 the second respondent was added as a party. This was in part owing to concern about the viability of the first respondent company, which is facing an application to strike it from the register. This hearing was listed to determine what compensation to award against the first respondent company and to determine whether the second respondent has personal liability in respect of the claimant's claims that she suffered a detriment (including dismissal) for making protected disclosures relating to the company's failure to account for income tax and provide itemised pay statements.
2. No response has been received from the second respondent to this claim. However, nothing further has been received from the claimant either. She was directed to provide an updated schedule of loss by 18 March 2022 but has not done so. No evidence or documentation has been provided for this hearing. Neither party

responded to an email from the tribunal yesterday asking them to confirm that they propose to attend and to supply any documents in advance of the hearing, and none of the parties attended.

3. Rule 47 of the Employment Tribunal Rules of Procedure provide that "If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that party. Before doing so, it shall consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the parties absence."
4. Accordingly, the claimant's representative was telephoned by the tribunal staff at 10:15 am this morning but the telephone number is no longer in operation. This is in fact the same telephone number provided by the claimant on the ET1.
5. From this, the previous lack of contact, the failure to comply with directions and the failure to attend this hearing, it appears that the claim is no longer pursued and so the claim is dismissed.

Employment Judge Fowell

Date 10 June 2022

JUDGMENT & REASONS SENT TO THE PARTIES ON

25/6/2022

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For the Tribunal