



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

Ms E Ticiuc

v

Mr R Fuller

## JUDGMENT

1. The Judgment under Rule 21 entered in January 2022 and the remedy judgment signed on 9/3/22 issued on 23/3/22 are revoked.

## REASONS

1. The Respondent applied on 31/3/22 for reconsideration of the judgments, claiming that he had not receive the ET1 and was unaware of the proceedings until his receipt of the remedy judgment.
2. Even if the ET1 was successfully delivered to The Ridings Northampton Northamptonshire NN1 1EZ, it now appears that that while that is an address for the Respondent's company, it is not the Respondent's personal address.
3. If he had been served with the ET1 in 2021, it seems to me likely that he would have defended the claim then, as he now seeks to do.
4. I have taken into account the Claimant's opposition (by her son's email dated 6/5/22) to the application for reconsideration, but nothing in it amounts to evidence of service of the original ET1 on the Respondent himself.
5. On a balance of probabilities, I am satisfied that the ET1 was not served and hence the Respondent was not in default and the Rule 21 and remedy judgments must be set aside.

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Employment Judge Burns

Date: 20/6/2022

Sent to the parties on: 2/7/2022

N Gotecha

For the Tribunal Office