



EMPLOYMENT TRIBUNALS

Claimant: Mr R Amin

Respondents: 1. Vevas Indian Restaurant
2. 1805 Vevas Limited

JUDGMENT

The claimant's application for reconsideration of the Judgment striking out the claim which was sent to the parties on 12 June 2021 is dismissed. That Judgment is confirmed.

REASONS

1. This claim was struck out by a Judgment I signed in June 2021 because it had not been actively pursued by the claimant.
2. On 26 June 2021 the claimant applied for reconsideration. The email said he had not replied to the strike out warning letter as he did not understand what he had to do. The application was listed for hearing on 15 November 2021.
3. That hearing was postponed by the Tribunal on 12 November 2021 because no bundle had been received to enable it to be conducted remotely. It was relisted for 7 April 2022.
4. On 30 March 2022 the claimant applied for the hearing to be postponed. His email said that he needed to go abroad as his mother had become very ill. He attached a copy of a travel booking for a flight on 31 March and a return flight on 31 May 2022.
5. The hearing was postponed but by a letter of 6 April 2022 the claimant was directed to provide evidence of his mother's illness by 4 May 2022.
6. The claimant did not reply.
7. On 18 May 2022 notice of hearing was issued confirming that the hearing had been relisted for 20 September 2022. That same date the Tribunal wrote to the claimant again by letter and by email directing that the medical evidence be provided by 1 June 2022. The claimant was also asked to confirm whether he wished to pursue his application for reconsideration.

8. The claimant did not reply.
9. On 9 June 2022 the claimant was warned in a letter sent by post and by email that a Judge was considering striking out his claim because it had not been actively pursued. The Judge in question had directed that the letter should have said “striking out the reconsideration application”, but due to an administrative error the letter referred to the claim. However, the warning being given was clear.
10. The claimant has still not replied to that correspondence. He has failed to provide any medical evidence in support of the application he made to postpone the hearing on 7 April 2022. Nor has he confirmed that he wishes to pursue his reconsideration application.
11. The reconsideration application has not been actively pursued and it is therefore dismissed. The Judgment striking out the claim is confirmed.

Regional Employment Judge Franey
25 July 2022

JUDGMENT AND REASONS SENT TO THE PARTIES ON
29 July 2022

FOR THE TRIBUNAL OFFICE

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