



EMPLOYMENT TRIBUNALS

Claimant

Mr D Munir

Respondent

DHL Services Limited

v

Heard at: Cambridge (by CVP)

On: 21 July 2022

Before: Employment Judge Ord

Appearances

For the Claimants: Did not attend and was not represented

For the Respondent: Miss J Tonnicliff, Solicitor

JUDGMENT

The Claimant's claim is struck out.

REASONS

1. The Claimant failed to attend or be represented at a Preliminary Hearing listed by telephone, on 31 March 2021.
2. By notice dated 31 March 2021 and sent to the parties on 18 April 2021, the Tribunal gave the Claimant an opportunity to make representations or to request a Hearing, as to why his claim should not be struck out because:
 - It had not been actively pursued; and
 - The Claimant had failed to attend the Preliminary Hearing designed to clarify his complaints and allegations.
3. The Claimant replied on 22 April 2021 claiming that he was not aware that he was required to attend the Hearing.
4. On 12 May 2021, the Respondent wrote to the Claimant and the Tribunal advising that the Claimant's letter did not adequately explain his failure to attend a Hearing he had been in communication about, did not explain why he failed to accept the three attempts made by the Tribunal to join him

in to the Telephone Hearing and requested that the Claimant's claim should be struck out.

5. On 12 June 2021 the Tribunal confirmed to the parties that at the next (open) Preliminary Hearing the issue of whether or not the claim should be struck out on the basis that it had not been actively pursued and / or because the Claimant had failed to show proper cause as required by the Tribunal's notice of 31 March 2021.
6. By notice dated 20 May 2022, that Hearing was re-listed for today (21 July 2022) and by further notice of 8 July 2022 the Hearing was listed as one to take place using the Tribunal's Cloud Video Platform.
7. The Tribunal had contacted the Claimant on 20 May 2022 by telephone advising him of the re-listed date for the Hearing, which the Claimant agreed to.
8. Notwithstanding the notice confirming the purpose of today's Hearing and his knowledge of the date of this Hearing (confirmed to him by telephone and in writing) the Claimant failed to attend today, did not make any written representations as to why his claim should not be struck out, nor make any contact with the Tribunal or the Respondent.
9. In the circumstances I am satisfied that the Claimant is not actively pursuing this case. The Claimant has failed to attend each of the two Preliminary Hearings in this case including today's Hearing.
10. For those reasons, the claim is struck out.

21 July 2022

Employment Judge Ord

Sent to the parties on: 30 July 2022
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For the Tribunal Office.