



EMPLOYMENT TRIBUNALS

Claimant: Mr B Ghanbari

Respondent:

- 1. Bassam Abdulkadir Razak**
- 2. New Age Laundry Ltd**
- 3. Newage Environmental Technology Ltd**

JUDGMENT

The claimant's application dated 16.08.2022 for reconsideration of the judgment sent to the parties on 08.08.2022 is refused.

REASONS

1. By Rule 70 of Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 the Employment Tribunal may reconsider a judgment where it is necessary in the interests of justice to do so. On reconsideration, the original decision may be confirmed, varied or revoked. The application for reconsideration has been made within 14 days of the date of the written judgment being sent to the parties as required by Rule 71. However, reconsideration cannot be ordered simply because the applicant disagrees with the judgment. Under Rule 72, if the Employment Judge considers that there is no reasonable prospect of the original decision being varied or revoked, the application shall be refused. Where practicable, the consideration shall be made by the same Employment Judge who made the original decision.
2. I consider that there is no reasonable prospect of the original decision being varied or revoked. The claims against Mr Razak were struck out on the basis that they had no reasonable prospect of success. This was because there was no realistic prospect that the Claimant would establish that he was employed by Mr Razak as an individual, rather than by one of the companies of which Mr Razak was a director. The types of claims brought by the Claimant are ones where the only appropriate respondent is the claimant's employer.
3. The matters raised by the Claimant do not engage with this issue and essentially amount to saying that, for other reasons relating to his conduct, Mr Razak should be held personally liable. None of these matters are such as to give any reasonable prospect of the original decision being varied or revoked. Therefore, the application for reconsideration is refused.

Case No: 2305651/2019

Employment Judge Reed

Date_22nd August 2022