



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

AND

Respondent

Mr D Leung

Mr Bin Li

Heard at: London Central (on the papers)

On: 10 October 2022

Before: Employment Judge Stout

JUDGMENT

The Claimant's claim is struck out in its entirety under Rule 37(1)(a), (c) and/or (d).

REASONS

By a claim form filed on 20 April 2022 the Claimant brings claims for unfair dismissal, notice pay and holiday pay. The Respondent denies that the Claimant was employed by him.

By notice dated 11 May 2022 the Claimant was warned that his unfair dismissal claim may be struck out because on his claim form he does not claim to have had two years' service as required by s 108 Employment Rights Act 1996 (ERA 1996). The Claimant was required to respond to that notice by 25 May 2022 but did not respond.

By notice dated 29 June 2022 the Claimant was required by REJ Wade to provide within 14 days evidence that he was employed by the Respondent. The Claimant did not respond.

The claim is accordingly struck out in its entirety for failure to comply with orders and/or failure actively to pursue the claim and/or because the claim stands no reasonable prospect of success as the Claimant has insufficient service and/or was not employed by the Respondent.

Employment Judge Stout

10 October 2022

JUDGMENT SENT TO THE PARTIES ON

10/10/2022

FOR THE TRIBUNAL OFFICE