



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs R Dave

**Respondent:** (1) Secretary of State for Justice  
(2) Mr Z Bhatti

## JUDGMENT

The claim is struck out.

## REASONS

1. The Respondent made an application dated 30 September 2022 that the claim be struck out pursuant to Rules 37(1)(c) and 37(1)(d) of The Employment Tribunal Rules of Procedure 2013. The application was made on the grounds that the Claimant had failed to comply with tribunal orders and was not actively pursuing the claim. The Respondent attached various emails that it had sent to the Claimant to which she had failed to respond. The Respondent had also tried to telephone the Claimant. According to the Respondent, the Claimant's lack of engagement meant that the case was not ready for a hearing.
2. By emails dated **5 and 7 October 2022** the Tribunal wrote to the Claimant to ask for her comments on the Respondent's application and to warn her that if she failed to respond by 4 pm on Monday 10 October 2022, her claim was likely to be struck out.
3. The Claimant failed to respond to the emails and Employment Judge E Burns has therefore decided to grant the application and strike the claim out.
4. The hearing that was due to take place on 12, 13 and 14 October 2022 will be cancelled.
5. The Claimant is referred to Rules 70 – 72 of the Employment Tribunal Rules which enable her to apply for this judgment to be revoked if she is able to show that she had a legitimate reason for failing to engage with the litigation process.

**Case No: 2206317/2021**

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Employment Judge E Burns  
11 October 2022

JUDGMENT SENT TO THE PARTIES ON

11/10/2022

FOR THE TRIBUNAL OFFICE