



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Manji Vekaria

**Respondent:** CCF Ltd

## JUDGMENT

1. The Claimant's application dated 28 June 2022 for reconsideration of the Employment Tribunal's Final Judgement dated 11 June 2022 is refused.

## REASONS

2. The claimant made an application on 28 June 2022 for the reconsideration of the Final Judgement dated 11 June 2022 dismissing all of his claims. This application was sent to Judge Bartlett on 23 September 2022. It came to light when the claimant attended Watford Employment Tribunal on 23 September 2022 because he thought that a hearing in respect of the reconsideration application was taking place on that date. This was an unfortunate misunderstanding arising from 23 September 2022 being the provisional date put in the diary for a remedy hearing however this was not needed because all of his claims had been dismissed.
3. Rule 70 to 73 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 Schedule 1 as amended set out the procedure and issues that must be considered when deciding applications for reconsideration.
4. The grounds of reconsideration can be summarised as:
  - 4.1. the statement in the final judgement that the preliminary hearings did not mention whistleblowing or automatic unfair dismissal is incorrect;
  - 4.2. Judge Bloom's statement in the record of a

preliminary hearing on 25 September 2020 *“that they [the respondent] say that the potentially fair reason for dismissal was one relating to conduct namely that the claimant refused to obey reasonable instructions to undertake data protection training”* had never been brought to the claimant’s attention during the dismissal process;

- 4.3. raising issues with how the Tribunal dealt with the bundle and disputes about the documents; and
- 4.4. other varied complaints.
5. I consider that there is no reasonable prospect of the original decision being varied or revoked and I have refused the application in accordance with rule 71 and rule 72.
6. I consider that there was no reasonable prospect of the original decision being varied or revoked because the grounds of reconsideration set out a disagreement with the findings of the tribunal on case management matters and substantive findings. For example, in relation to the claimant’s point that the respondent did not mention misconduct relating to failing to follow a reasonable instruction to undertake data protection training during his dismissal process, even if this is the case the respondent is still entitled to raise this as a grounds of defence in the appeal as the respondent did. I
7. Further, there was much discussion about the bundle and the reasons for the Tribunal’s conclusions are set out in full in the Final Judgement.
8. In relation to the claim’s about automatically unfair dismissal and whistleblowing, there is a discussion about this in the final Judgement. The Final Judgement also quotes the Judge from the CMR identifyingt the grandiose nature of the claimant’s complaints about conspiracy etc and concerns about the merits of the claimant’s case. This gives an indication that his ET1 was wide ranging in its conspiracy type claims and that it lacked clarity but this does not mean that they amount to automatically unfair dismissal or whistleblowing claims. It was hard to discern his claims from the ET1 and that is why there were several CMRs which spent some time trying to distil the claimant’s claims.
9. As is set out in the final judgement there were several preliminary hearings in this case setting out the issues and the final judgement relied on the list of issues defined in those hearings. There was no record of the claims including automatically unfair dismissal and whistleblowing.

10. For these reasons the application is refused.

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Employment Judge **Bartlett**

Date\_13 October 2022\_\_

JUDGMENT SENT TO THE PARTIES ON

17 October 2022

FOR THE TRIBUNAL OFFICE

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The claimant's husband and Dr a