



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr V Dascalescu

**Respondent:** Team West Ltd t/a Bath Pizza Ltd

## JUDGMENT

This claim is struck out

## REASONS

1. On 18 November 2022 the respondent applied to strike out the claimant's claim pursuant to rule 37 because he failed to comply with orders contained in the case management order of 7 June 2022. The claimant was copied into this email and, in accordance with rule 30(2), was asked to notify the tribunal if he had any objection to the application as soon as possible.
2. The respondent said, among other things, the claimant had failed to exchange his witness statement which was due by 14 October 2022. The respondent also says the only contact they have had from the claimant was by letter of 26 July 2022 enclosing photographs of pizza boxes.
3. On 21 November 2022 the tribunal emailed the claimant seeking a substantive response to the 18 November 2022 email as soon as possible. The claimant was also told that Regional Employment Judge Pirani was considering striking out the claim pursuant to rule 37(1)(d) because it was not being actively pursued.
4. The claimant has failed to make representations in writing why this should not be done or to request a hearing. The claimant's claims are therefore struck out.
5. The hearing due to take place on 23 and 24 November 2022 is now vacated and will not take place.

**Case number: 1401181/2021**

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**Regional Employment Judge Pirani**

Date: 22 November 2022

JUDGMENT SENT TO THE PARTIES ON 22 November  
2022

FOR THE TRIBUNAL OFFICE