



EMPLOYMENT TRIBUNALS

Claimants: Mr R Woodlands & others
(see attached schedule)

Respondent: Nest 247 Ltd (in compulsory liquidation)

JUDGMENT

The claims are struck out.

REASONS

1. The respondent company is in compulsory liquidation. On 2nd March 2022, an Employment Judge wrote to the claimants informing them of the situation and explaining that the Insolvency Act 1986 provides that legal proceedings cannot be continued against the company without the permission of the court. As the letter explained, it was the claimants' responsibility to apply to court for such permission.
2. The permission of the Insolvency and Companies Court has not been obtained for these proceedings to be instituted or continued as required by the Insolvency Act 1986.
3. On 20 January 2023 the Tribunal gave the claimants an opportunity to give written reasons within 14 days why the claims should not be struck out as they have not been actively pursued. Ms Traynor replied that she still wanted her claim to be taken into consideration and Mr Hartshorn replied that he understood that ACAS was dealing with his claim. Both claimants may be under a misapprehension, however the letter of 2nd March 2022 was sent to all claimants and is clear that the responsibility for making an application to the appropriate court lies with the claimants. Accordingly, the Employment Judge is satisfied that these claims are no longer actively pursued, court consent has not been obtained and the claims are therefore struck out.

Employment Judge Howard
17th February 2023

JUDGMENT SENT TO THE PARTIES ON

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22 February 2023

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FOR THE TRIBUNAL OFFICE

Schedule

2408824/2021	Mr Ryan Woodlands
2409005/2021	Mr Philip Reed
2409132/2021	Miss Jade Howlett
2409133/2021	Miss Claire Traynor
2409161/2021	Miss Joanne Edwards
2409170/2021	Mr Imran Asaf
2410338/2021	Mr Paul Hemmings
2411059/2021	Mr Michael Berry
2411267/2021	Mr Stephen Whittle
2411273/2021	Mr Ryan Young
2411274/2021	Mr Michael Hartshorn
2411275/2021	Mr Michael Hartshorn
2414051/2021	Mr Martin Caesar
2414537/2021	Mr Matthew Jepson
2400384/2022	Mr David Carnall