



EMPLOYMENT TRIBUNALS

Claimant: Mr V Didellot-Khelifi

Respondent: Dalston Eastern Curve Garden Ltd

Heard at: East London Hearing Centre (by CVP)

On: 31 March 2023

Before: Employment Judge Travers

Representation:

For the Claimant: The claimant was not represented and attended in person

For the Respondent: Ms Marie Murray and Mr Brian Cumming (directors)

This has been a remote hearing which has not been objected to by the parties. The form of remote hearing was by Cloud Video Platform. A face to face hearing was not held because the relevant matters could be determined in a remote hearing.

JUDGMENT ON PRELIMINARY HEARING

1. The title of the respondent is amended to Dalston Eastern Curve Garden Ltd.
2. The primary time limit for presenting the claim expired on 17th August 2022. The claim was received by the tribunal on 25th October 2022. Consequently, the claim was out of time and the tribunal has no jurisdiction.
3. The tribunal has considered whether to extend time for the presentation of the claim but does not consider that it would be just and equitable to do so.
4. In all the circumstances the claim is dismissed.

REASONS

1. This matter was listed for an open preliminary hearing, to include consideration of whether the complaint was presented outside the time limits in sections 123(1)(a) & (b) and if so, whether the complaint should be dismissed on the basis that the Tribunal has no jurisdiction to hear it.
2. The tribunal heard from the claimant and from the representatives of the respondent company and at the conclusion of the hearing gave full reasons for the decision orally.
3. The respondent is a company limited by guarantee and the title of these proceedings has been amended to reflect this.

Employment Judge Travers
Date: 31 March 2023