



EMPLOYMENT TRIBUNALS

Claimant: Mr J Efetar

Respondent: EGS Support Service Limited

JUDGMENT

The claim is struck out.

REASONS

1. By a letter dated 16 March 2023 the Tribunal gave the claimant an opportunity to make representations as to why the claim should not be struck out because it has not been actively pursued.
2. A public preliminary hearing was held on 17 May 2023 to consider striking out the claimant's case. The claimant did not attend that hearing. The Tribunal attempted to telephone the claimant on two occasions prior to the start of the hearing but the claimant did not answer the telephone. The claimant has also failed to make representations in writing and has not engaged with the Tribunal since lodging his initial claim form.
3. Based upon the claimant's continued lack of engagement with the Tribunal and its directions and orders, I am satisfied that the Tribunal should exercise its power under rule 37(1)(d) to strike out the claim as it has not been actively pursued. I am also satisfied that the Tribunal has provided the claimant with a reasonable opportunity to argue that the order should not be made as required by rule 37(2). The claimant was first informed of the risk of his claim being struck out on 16 March 2023, some two months ago. The entirety of the claim is therefore struck out.
3. The hearing fixed for 22, 23 and 24 April 2024 will not take place.

Employment Judge McTigue

Case No: 3311831/2022

17 May 2023

JUDGMENT SENT TO THE PARTIES ON

8 June 2023

GDJ
FOR THE TRIBUNAL OFFICE