



EMPLOYMENT TRIBUNALS

Claimant: Mrs A Matthews

Respondents: Let Us Care 4U Limited (In Creditors Voluntary Liquidation) (First Respondent) and Mr M A Iftikhar (Second Respondent)

JUDGMENT ON AN APPLICATION FOR RECONSIDERATION

The Respondents' application dated 14 June 2023 for reconsideration of the judgment sent to the parties on 2 June 2023 is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked for the reasons set out below.

The Respondents have not indicated whether their application has been copied to the Claimant.

The Second Respondent, Mr Iftikhar, sent an email to the Tribunal on 14 June 2023 seeking a reconsideration of the Tribunal's judgment on the basis of a belief that none of the information he sent to the Tribunal by email on 21 May 2023 reached the Judge and had been considered. Mr Iftikhar now seeks the opportunity to present himself and provide all the evidence in person.

The Respondents' Response was struck out by Employment Judge Harding in a judgment dated 5 July 2022 sent to the parties on 8 August 2022. This followed a Preliminary Hearing on 16 June 2022 at which neither Respondent was present where Employment Judge Camp issued a Strike Out Warning on the basis that the Response was not being actively pursued and gave the Respondents until 21 June 2022 to explain their position. They did not do so.

Under Rule 21(3) of the Employment Tribunals Rules of Procedure 2013 the Respondents were entitled to receive notice of any hearings and decisions but were only permitted to participate in any hearing to the extent permitted by the Judge. The Respondents were notified of the final hearing on 8 August 2022 and on 15 May 2023 (by correspondence sent to the liquidator). They chose not to attend the final hearing.

On 21 May 2023 Mr Iftikhar sent an email to the Tribunal setting out an overview of the Respondents' position. This email attached a chronology and a copy of the

Respondents' Response dated 6 March 2021. This email was not copied to the other party but was received by the Tribunal and seen by the Judge.

The basis for the application for reconsideration is the Respondents belief that the information sent by email on 21 May 2023 was not considered by the Tribunal. However, the Respondents' Response was previously struck out because it was not actively pursued. It is not open to the Respondents to seek to have their Response considered many months after it has been struck out. The Respondents chose not to attend and present themselves at the final hearing.

The basis for the application for reconsideration appears to be that the Respondents do not agree with the outcome. This is not a valid ground for reconsideration and it would not further the overriding objective of dealing with cases fairly and justly to reconsider the Tribunal's decision.

This is a case in which the parties and the interests of justice are best served by finality of litigation and in particular confirming the Tribunal's judgment.

Employment Judge Platt
27 June 2023