



EMPLOYMENT TRIBUNALS

Claimant:

Mr R Sthankiya

v

Respondent:

Equality and Human Rights Commission

JUDGMENT

Employment Tribunals Rules of Procedure 2013 (“Rules”) – Rule 21

The respondent having failed to file a response to the claimant's claims within the required time limit, the Employment Judge decided that a determination can properly be made on the liability on the claim in accordance with rule 21 of the Rules. Consequently, the claimant's claims under this claim number succeed and the remedy is to be determined at a Default Judgment Remedy Hearing.

REASONS

1. The claim was served on the respondent at its registered address by post dated 23 May 2023. The deadline to file its response was 20 June 2023.
2. The respondent's solicitor made contact with the Tribunal on 26 June 2023 to indicate that it may not have received that correspondence and requested that the claim form was sent again so that a response could be prepared with an application to file a late response.
3. On 3 July 2023, the claimant e-mailed the Tribunal (cc'ing the respondent's solicitor) to query whether there has been an application for extension of time to file the response. He then e-mailed again (cc'ing the respondent's solicitor) requesting default judgment be issued.
4. On 4 July 2023, the Tribunal sent the parties another copy of the ET1.
5. The papers have come before me following the claimant's request for default judgment. No response has been filed on time and there is no application to extend time to file a response. Although the respondent's solicitor has been in contact to say that the ET1 had not been received, he was aware of the deadline and no application or protective response has been filed. It is therefore appropriate to issue this judgment.

6. There is not enough information on the papers for remedy to be determined. Notice of a remedy hearing will be sent separately to the parties. The respondent may only take part in that next hearing to the extent permitted by the Employment Judge at that hearing.

Employment Judge Fredericks-Bowyer

5 July 2023