



EMPLOYMENT TRIBUNALS

Claimant: Ms R Bosakwa
Respondent: Elizabeth Cardy
Heard: East London Hearing Centre (by CVP)
On: 01st August 2023
Before: Employment Judge Codd

Appearances

For the Claimant: Did not attend
For the Respondent: Did not attend

JUDGMENT

(RULE 37 EMPLOYMENT TRIBUNALS RULES OF PROCEDURE 2013)

1. The claimant's claims are struck out as they are not being actively pursued.

REASONS

1. The claimant issued an ET1 against the respondent, which was received on the 03rd January 2023. That claim included claims for unfair dismissal as well as notice pay, holiday pay and unpaid wages.

2. On the 28th July 2023, after issuing a strike out warning Employment Judge Beyzade struck out the claim for unfair dismissal under S108 and S155 of the Employment Rights Act 1996.
3. Despite receiving a strike out warning, no correspondence was received from the claimant.
4. The hearing was listed before me today and the claimant was on notice of this. At 07.52am she indicated that she would not be attending the hearing due to family reasons affecting her mental health. She also stated: *“Furthering to this - I’ve contacted the insolvency practitioner dealing with the case and will be seeking wages through the government instead.”*
5. It appears on the face of the claim that the claimant may have been employed by Sweet Nothing Bakehouse Ltd (a company in voluntary liquidation), however, without proper evidence in support of her claim and without the claimant’s presence at the hearing, it is not possible to verify the circumstances.
6. As it appears that the claimant is now pursuing support via the government insolvency fund and has not attended today’s hearing, I conclude that she has abandoned these proceedings. I therefore find that it is appropriate to strike the proceedings out under Rule 37, as they are not being actively pursued by the claimant.

Employment Judge Codd

Dated: 1 August 2023