



THE EMPLOYMENT TRIBUNAL

Claimant: Mr B Smith

Respondent: Elmbridge Cleaning Contracts Ltd

Sitting At: London South **On:** 7 September 2023

Before: Employment Judge K Andrews (Sitting Alone)

Appearances:

For the Claimant: Did not attend

For the Respondent: Did not attend

JUDGMENT

The claim is dismissed as it is not being actively pursued.

REASONS

1. In this matter the Claimant brought claims of unfair dismissal, age discrimination and unpaid monies.
2. At a hearing on 9 January 2023 before Judge Beale, it was noted that the parties were in the late stages of settlement discussions and it was the Respondent's position that sums of money in that regard had already been paid to the Claimant. Orders were made for the parties to correspond with each other and the Tribunal to confirm the position once clarified. Today's hearing was listed as a case management hearing in the event that no settlement had been concluded.
3. On 16 January 2023 the Respondent emailed the Tribunal (although did not copy the Claimant) and said:

We have now paid £236.34 to Mr B Smith and have informed ACAS. As far as we are concerned, this case is now settled.
4. Taking into account the statements made by the Respondent as to the sums of money already paid to the Claimant in proposed settlement of his claim, the absence of any communication from the Claimant to the Tribunal and his non-attendance at today's hearing, I conclude that he is not actively pursuing his claim and it is dismissed.

Employment Judge K Andrews
Date: 7 September 2023