



THE EMPLOYMENT TRIBUNAL

Sitting: at Birmingham (by CVP)
Before: Employment Judge Tueje

Between:

Mr Amanpreet Singh Gaba

Claimant

and

Mr Satwinder Singh Marok

Respondent

On: 7th November 2023

Appearances:

For the Claimant: No attendance

For the First Respondent: No attendance

JUDGMENT

1. The claim is struck out

REASONS

1. The Claimant did not join today's hearing.
2. When the Clerk to the Tribunal telephoned the Claimant to ascertain the reason he had not joined the hearing, the Claimant said he could not join, but provided no further reasons.
3. The Claimant was informed that the hearing connection would stay open until 10.45am to allow him an opportunity to join the hearing. The Claimant did not do so.
4. The Tribunal noted the following:

- 4.1 The claim form gave an incorrect address for the Respondent, causing the final hearing previously listed on 23rd June 2023 to be postponed, because the claim form and notice of hearing only came to the Respondent's attention shortly before that hearing was due to take place.
 - 4.2 The Claimant has not responded to the Tribunal's request dated 12th June 2023 that he clarifies the identity of the Respondent by 19th June 2023.
 - 4.3 The Claimant has not complied with the Case Management order dated 28th June 2023 requiring he provide a schedule of loss by 26th July 2023.
 - 4.4 Neither the Claimant nor the Respondent have complied with the Case Management order dated 28th June 2023 requiring they provide written statements and documents they intend to rely on by 23rd August 2023.
 - 4.5 The Claimant has not responded to the Respondent's e-mail sent to the Tribunal on 9th October 2023, forwarded by the Tribunal to the Claimant on 31st October 2023, which e-mail provided notification the Claimant had not yet provided a schedule of loss.
 - 4.6 Mr Satwinder Singh Marok, of the Respondent company, e-mailed the Tribunal on the morning of 7th November 2023 stating he was unable to join the remote hearing because he had the flu.
5. In the Tribunal's judgment, there is insufficient information to determine the claim, and in the absence of an adequate explanation for the Claimant's non-attendance, it would not be proportionate to postpone the hearing again. Accordingly, the claim is struck out.

Employment Judge Tueje

Date: 7th November 2023

Note: Written reasons will not be provided unless they are asked for by any party at the hearing itself or by a written request presented by any party within 14 days of the sending of the written record of the decision.