



EMPLOYMENT TRIBUNALS

Claimant: Mr G Bay

Respondent: Arriva London

JUDGMENT

All remaining claims are struck out.

REASONS

1. The Respondent wrote to the Tribunal with copy to the Claimant on 23 February 2024, alleging breaches of the orders such that a fair hearing could not take place, as scheduled, on 25 to 27 March 2024. It referred to the history of the matter, and the uncertainty about who was representing the Claimant and the identity of the persons sending emails which were said to either be from the Claimant or on his behalf.
2. On **26 February 2024**, I made an order to warn the Claimant about possible strike out due to alleged failure to comply with 16 December 2022 orders, and due to apparent failure to actively pursue the matter.
3. That order was actioned on **12 March 2024**, meaning that it gave the claimant an opportunity to contact the Tribunal by **26 March 2024** to make representations or to request a hearing, as to why the claim should not be struck out because
 - the claimant had not complied with the Order of the Tribunal
 - it has not been actively pursued.
4. However, giving the Claimant until 14 days after **12 March** letter would have meant he did not have to reply until Day 2 of the final hearing.
5. Therefore, on my instructions, a letter was sent on **18 March 2024** which gave the Claimant until **21 March at 4pm** to confirm whether he was still pursuing the claim and to comment on the Respondent's correspondence.

6. The claimant has failed to make representations in writing and has failed to ask for a hearing. The claim is therefore struck out.
7. The hearing fixed for **25 to 27 March 2024** will not take place.
8. Any application for reconsideration must be made in accordance with the usual timescales (so within 14 days of this judgment being sent) and must be copied to all other parties.

Employment Judge Quill

Date: 21 March 2024

JUDGMENT SENT TO THE PARTIES ON
22/03/2024

FOR THE TRIBUNAL OFFICE