



# EMPLOYMENT TRIBUNALS

**Claimant:** Magdalena Lukasik

**Respondent:** Chandraprakash Shantiratnam

**Heard at:** Cambridge Employment Tribunal

**On:** 11 March 2024

**Before:** Employment Judge Freshwater, Tribunal Member A Hayes and Tribunal Member K Omer

## Representation

**Claimant:** none

**Respondent:** none

# JUDGMENT

1. The claimant's claim is dismissed under rule 47 of the Employment Tribunal (Constitution and Rules of Procedure) Regulations 2013 because the claimant did not appear at the hearing and was not represented.

# REASONS

1. A preliminary hearing took place on 8 February 2023, when the case was listed for a 5-day final hearing. That hearing was due to start today. Neither party attended. An interpreter did attend.
2. The claimant did not appear and was not represented. The information available to the tribunal was the claimant had not complied with the directions dated 8 February 2023. That order was sent out again at the direction of Employment Judge Michell on 8 August 2023. It is clear from the order of 8 February 2023 that the claimant attended a telephone preliminary hearing that day, and so was told that there would be a final hearing from 11 – 15 March 2024.
3. The tribunal clerk contacted the claimant using the telephone number on record this morning. The claimant did not answer the telephone, but somebody else did. That person said they were not claimant and did not know her.
4. The respondent did not appear and was not represented. The tribunal clerk contacted the respondent's representative and was informed that the representative did not think it was necessary to attend the hearing. This appears to be on the basis of correspondence about the claimant's failure to comply with

directions. That correspondence stated no action would be taken in respect of a strike out before the final hearing. It did not say that the respondent should take no action at all in the case.

5. No bundles had been filed and there was no evidence on which the tribunal could properly proceed in the absence of the claimant (and the respondent.)
6. The tribunal office had received no correspondence from either party to explain the non-attendance.
7. The tribunal took account of the information available and made practicable enquires into the absence of the parties.

---

Employment Judge **Freshwater**

---

Date 11 March 2024

JUDGMENT & REASONS SENT TO THE PARTIES ON  
8 April 2024

.....  
T Cadman

.....  
FOR THE TRIBUNAL OFFICE

### **Notes**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

### **Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

### **Recording and Transcription**

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>