



## **EMPLOYMENT TRIBUNALS**

**Claimant:** Mr A Rehman

**Respondent:** DHL Services Ltd

### **JUDGMENT ON AN APPLICATION FOR RECONSIDERATION**

The claimant's application for reconsideration made on 19 March 2024 is refused because there is no reasonable prospect of the original decision being varied or revoked and substantially the same application has already been made and refused and there are no special reasons to come to a different decision on the application.

### **REASONS**

1. This is the fourth reconsideration application brought by the claimant. The claimant has also appealed to the EAT and his appeal has been refused on the paper sift because there were no reasonable grounds for bringing the appeal. Yet, the claimant still seeks to reargue his case.
2. There is nothing in this fourth reconsideration application which gives rise to any reasonable prospect of the original decision being varied or revoked. Further, it is my view that substantially the same application has already been made and refused and there are no special reasons to come to a different decision on the application.
3. The claimant continues to wish to reopen the discussion about the facts of the case and the legal principles to be applied which were considered during the hearing, and for the tribunal to come to different conclusions. It is, therefore, just, fair and proportionate to refuse the application.
4. I consider it is disproportionate to say much more than the above. However I shall briefly respond to the matters raised in this fourth application:
  - 4.1 The claimant was not denied the opportunity to cross examine Chris Askew. The tribunal dealt with the issue of who printed test papers at paragraph 82 of our liability judgment. We found it to be an inconsequential matter.
  - 4.2 Counsel for the respondent did not shout at any stage during the hearing. If she had I would have immediately addressed it. Counsel may have referred to whether the claimant was raising remedy points, which we were not considering. There was no behaviour by counsel that could possibly have impacted on the fairness of the proceedings and the claimant did not suggest that there was at any stage during the hearing.
  - 4.3 It is incorrect to suggest that the Tribunal did not explore case law or the claimant's case that the respondent held negative views about him which were related to a protected characteristic. We have in fact extensively

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considered case law, including that referred to by the claimant and all the matters the claimant relied upon to establish a prima facie case. This has all been explained to the claimant before.

- 4.4 The liability decision is not inconsistent or illogical. The claimant simply disagrees with it.

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**Employment Judge Meichen 12.4.24**