



EMPLOYMENT TRIBUNALS

Claimant: Pralesh Vadgama

Respondent: John Lewis plc

JUDGMENT

The claim is struck out.

REASONS

1. The claimant failed to attend the preliminary hearing listed to be heard on 15 April 2024 by CVP (Cloud Video Platform). The claimant did not apply for a postponement of the hearing. When they were called by the Tribunal, their phone went to voicemail. The claimant was also emailed by the Tribunal at the outset of the hearing but there was no response.
2. It was further noted that the claimant had not responded to the respondent's request for further information, nor had they completed an agenda in advance of the preliminary hearing.
3. By an email dated 15 April 2024 the Tribunal gave the claimant an opportunity to make representations or to request a hearing, as to why the claim should not be struck out because the claimant had failed to attend the hearing and had not applied for a postponement.
4. In response to that letter, an email which had been sent to the Tribunal by the claimant at 10.28am was forwarded by the claimant and sent to the Judge. That email stated: "I am not available to attend an online meeting today as I am currently away. I am happy for it to continue but I do not have anybody who can attend." The Judge had not seen that email before the hearing, which had been scheduled to take place at 2pm.
5. The claimant has failed to make sufficient representations why this claim should not be struck out or to request a hearing. The fact that the claimant was "away" does not explain why he was unable to attend the hearing, which was held by CVP.

6. The claim is therefore struck out because the claimant did not attend the preliminary hearing in respect of which no postponement had been granted. The hearing is struck out pursuant to rule 47 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 (the ET Rules).
7. Further, or in the alternative, the claim is struck out as it has not been actively pursued pursuant to rule 37 of the ET Rules.
8. The hearing fixed for 4, 5, 6 and 7 February 2025 will not take place.

**Employment Judge Rice-Birchall
18 April 2024**

JUDGMENT SENT TO THE PARTIES ON
1 May 2024

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FOR THE TRIBUNAL OFFICE