



EMPLOYMENT TRIBUNALS

Claimants: Mr J Sivak

Respondent: Panel UK Limited

Heard at: Leeds (in public; by CVP)

On: 1 May 2024

Before: Employment Judge Deeley

Appearances

For the claimant: did not attend

For the respondent: Mr Danny Smith (Counsel)

JUDGMENT – (1) NON-PAYMENT OF DEPOSIT ORDER AND RESPONDENT'S STRIKE OUT APPLICATION

Judgment – non-payment of the deposit order

1. The claimant failed to pay the deposit order issued by Employment Judge Rostant and sent to the claimant on 6 February 2024. The complaints identified by Judge Rostant at paragraphs 31.1, 31.3, 31.4, 31.6, 31.8, 31.9 and 31.10 of his December Case Management Orders are therefore struck out under Rule 39(4) of the Employment Tribunal Rules of Procedure.

Judgment on respondent's strike out application

2. The respondent's application to strike out of the claimant's claim under Rule 37(1)(d) of the Employment Tribunal Rules of Procedure (failure to actively pursue the claim) is granted. The claimant's remaining complaint of direct race discrimination (identified by Employment Judge Rostant as paragraph 31.7 of his December Case Management Orders) is struck out for the reasons explained at today's hearing.

NOTES

3. The claimant did not attend today's hearing or comment on the respondent's strike out application. The claimant had not provided a telephone number to the Tribunal and the clerk emailed him, asking him to join the hearing by 2.30pm. The claimant did not respond to the email. The

respondent stated that they had not had any contact from the claimant since the last preliminary hearing in December 2023.

Employment Judge Deeley

Date 1 May 2024

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