



# EMPLOYMENT TRIBUNALS

**Claimants:** Mr D Gibbons  
Ms D J Hilliard

**Respondent:** Lunar Automotive Limited (in compulsory liquidation)

## JUDGMENT

The judgment sent to the parties on 21 May 2024 striking out the claims is revoked on reconsideration.

## REASONS

1. The claims were dismissed by a judgment sent to the parties on 21 May 2024 on the grounds that they had not actively been pursued.
2. By a letter dated 29 May 2024, the claimants applied for reconsideration of the judgment on the grounds that no strike out warning had been sent before the claims were struck out and asking for a further period of time for the claimants to consider their options in respect of pursuing the litigation further.
3. The judgment referred to a number of letters sent to the claimants. Whilst the letter of 1 February 2023 did contain a strike out warning, the subsequent letter of 2 April 2024 informed the claimants (amongst other claimants) that failure to respond to that letter within the required time period would result in a strike out warning, rather than saying that the claims may be struck out. In the circumstances, I consider it in the interests of justice to revoke the judgment and give the claimants a further opportunity to say why their claims should not be struck out as being actively pursued in response to a separate letter to be sent to the claimants.

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Employment Judge Slater

Date: 4 June 2024

JUDGMENT SENT TO THE PARTIES ON  
11 June 2024

FOR THE TRIBUNAL OFFICE

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