



EMPLOYMENT TRIBUNALS

Claimant: Miss C Roberts

Respondent: Mr A Proto

JUDGMENT

The respondent's application dated 27 June 2024 for reconsideration of the judgment sent to the parties on 13 June 2024 is refused.

REASONS

On 27 June 2024 the respondent applied for reconsideration of the Rule 21 judgment sent to the parties on 13 June 2024. The respondent did not copy the application to the claimant as is required under Rule 71 and 92 of the Employment Tribunal Rules of Procedure 2013. This application was not referred to Judge Moore until 15 August 2024.

By an email dated 19 August 2024 Judge Moore informed the parties she was of the preliminary view that the application would not succeed because of the following reasons:

The respondent has asserted the notice of hearing was sent to an incorrect address. The notice of claim and hearing was sent to the respondent at 2 The Manor, Brooklea Meadows, Little Sutton CH66 4AB on 12 April 2024. This is the same correspondence address the respondent used in his application for reconsideration. Therefore an incorrect address was not used and the address is by the respondent's own communication, his current address.

The respondent has not explained why he failed to lodge a response which was due well in advance of his hospital admission neither has he provided any medical evidence in support of his application.

Judge Moore asked the claimant to comment on the application within 14 days and the respondent was given the opportunity to comment further as to Judge Moore's points outlined above. The respondent did not make any further comments nor did he request a hearing.

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For the reasons outlined above there are no prospects that the judgment shall be varied or revoked. The application is refused.

Employment Judge S Moore

Date: 17 September 2024

JUDGMENT SENT TO THE PARTIES ON 18 September 2024

FOR THE TRIBUNAL OFFICE Mr N Roche