



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr L Kraj

**Respondent:** Giromondo Limited (T/A Mont Blanc)

**Heard at:** Manchester Employment  
Tribunal

**On:** 19<sup>th</sup> March 2025

**Before:** Employment Judge Thompson  
(sitting alone)

## REPRESENTATION:

**Claimant:** No attendance

**Respondent:** Miss Scrivener, solicitor

# JUDGMENT

The claim is dismissed under Rule 47 of the Employment Tribunal Procedure Rules 2024.

## REASONS

1. A preliminary hearing to determine time limit points was scheduled to take place at 10am on 19<sup>th</sup> March 2025 at the Manchester Employment Tribunal.
2. The date of the preliminary hearing was agreed between the parties at a hearing before Employment Judge Cookson on 7<sup>th</sup> October 2024.
3. The Claimant did not attend at the preliminary hearing. My clerk called his number that was stated on the ET1 at 10 am and there was no response. I

waited until 10.30 am before calling on the case to see if the Claimant was running late. He did file a witness statement in advance of the preliminary hearing but that statement was not served on the Respondent and in any event it does not address the reasons why the claim was presented out of time.

4. The Respondent's representative informed me today that following the last hearing, the Claimant was paid the holiday pay which it was agreed was owed to him, amounting to £2,432.86 before tax and national insurance.
5. The Respondent made an application to dismiss the claim under Rule 47 on the basis of the Claimant's non attendance. Having considered those submissions, I determined that in the absence of the Claimant and/or any reason for his non-attendance, I would dismiss the claim.
6. It is open to the Claimant to seek a reconsideration of his dismissal judgment if he believes it is in the interests of justice to do so. If the Claimant wishes to make this application, he should write to the Tribunal setting out why a reconsideration is necessary within 14 days of receipt of this judgment.

Employment Judge Thompson

Date: 19<sup>th</sup> March 2025

ORDER SENT TO THE PARTIES ON

Date: 8 April 2025

FOR THE TRIBUNAL OFFICE

**(1) Any person who without reasonable excuse fails to comply with an Order to which section 7(4) of the Employment Tribunals Act 1996 applies shall be liable on summary conviction to a fine of £1,000.00.**

**(2) Under rule 6, if this Order is not complied with, the Tribunal may take such action as it considers just which may include (a) waiving or varying the requirement; (b) striking out the claim or the response, in whole or in part, in**

accordance with rule 37; (c) barring or restricting a party's participation in the proceedings; and/or (d) awarding costs in accordance with rules 74-84.

**(3) You may apply under rule 29 for this Order to be varied, suspended or set aside.**

### **Notes**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

### **Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

### **Recording and Transcription**

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

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