



EMPLOYMENT TRIBUNALS

Claimant: Mr L Tarbuc

Respondent: Martello Piling Limited

RECONSIDERATION JUDGMENT

The claimant's application dated 17/3/2025 for reconsideration of the judgment sent to the parties on 13/3/2025 is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, for the following reasons:

1. It was not apparent from the application that the claimant had complied with Rule 90.
2. The claimant has submitted newly obtained evidence from Mr Ahmad. There is no explanation as to why this evidence could not have been provided prior to the hearing in accordance with the Order for Directions. The claimant knew the respondent was not calling Mr Ahmad as a witness. It was open to the claimant to have approached Mr Ahmad prior to the hearing, in the same way as he did after the hearing. It was also open to the claimant to put the evidence upon which he now relies before the Tribunal.

3. The claimant disagrees with the Tribunal's conclusion and its interpretation of the EAT authority that was before it and he is entitled to take that position. That does not however warrant reconsideration of the Judgment.
4. The claimant seeks to bring into the reconsideration application matters which post-date the conversation on the 23/4/2024. Those matters are not material to the question of whether the Tribunal's decision was improper.
5. A reconsideration application is not an appropriate method of revisiting the case management Order. The Order itself provide the mechanism for an application to vary the Order.

4/4/2025

Approved by
Employment Judge Wright

Sent to Parties.
25 April 2025