



EMPLOYMENT TRIBUNALS

Claimant: Mr A Khan

Respondent: (1) Novai Limited and (2) Mr J Rawlingson

JUDGMENT

The claimant's application dated **29 April 2024** for reconsideration of the judgment sent to the parties on **15 April 2024** is refused.

REASONS

1. There is no reasonable prospect of the original decision being varied or revoked because the claimant relies on new evidence, namely the transcript of a recording of a meeting on 3 February 2022. The claimant states: *"A recording of a meeting on the 3rd February 2022, a few days after termination. In the recording, Professor Cordeiro states that the date for the decision of dismissal was late January 2022 and that there was no diagnostic data."* (see paragraph 10 of reconsideration application. The claimant contends that the new evidence shows the date of the decision to terminate was at the end of January 2022.
2. The new evidence in my view would not have affected the conclusion of the Tribunal because we state at paragraph 43 of the judgment that the claimant was dismissed on 31 January 2022 and the meeting on 9 February 2022 endorsed the action. In respect of the question about data the tribunal's approach is set out in paragraph 21 as follows: *"The Tribunal have not attempted to resolve the dispute about data. Our conclusion on the data is that Professor Cordeiro and Mr Rawlingson did not accept as a fact that the date failed and further the evidence that was given by those with knowledge of the data, other than the claimant did not support a suggestion that the data failed. Only the claimant asserted that the data failed at various times to board members and investors."*
3. The new evidence in my view would not have resulted in a different decision and therefore there are no grounds for a reconsideration of the judgment.

Approved by:

Employment Judge Gumbiti-Zimuto

Date: 16 June 2025

JUDGMENT SENT TO THE PARTIES ON
19 June 2025

FOR THE TRIBUNAL OFFICE