



EMPLOYMENT TRIBUNALS

Claimant: Mr C Rankine
Respondent: Welland Valley Removals Ltd
Heard at: Leicester Hearing Centre, Kings Court, 5A New Walk,
Leicester, LE1 6TE
On: 19 June 2025
Before: Employment Judge Adkinson sitting alone
Appearances
For the claimant: In person
For the respondent: Mr Aimufua, litigation consultant

JUDGMENT ON RECONSIDERATION

UPON the Tribunal (Employment Judge Adkinson) on 17 June 2025 striking out the respondent's response for non-compliance with directions and for not actively pursuing the response

UPON the Tribunal noting that the Tribunal had first sent a strike out warning with a deadline for submissions in reply being 16 June 2025

UPON the respondent having in fact made submissions and seeking belatedly to comply with the order on 16 June 2025

UPON those submissions not being provided to the judge when considering whether to make the strike out order so he was unaware of them

UPON noting the error arise because the submissions contained the wrong case reference number

UPON noting the Tribunal did not spot the erroneous number and, by reference to the wrong number, told the respondent the claimant had withdrawn the claim

UPON the respondent being told of the error and that the case remained listed

UPON the respondent's representative being able to attend today but its witnesses could not (because they assumed there would be no hearing because they wrongly understood the claim had ended)

UPON considering there was a real prospect the Tribunal might vary or set aside the judgment

UPON considering it is necessary in the interests of justice to reconsider the order because it was made without considering the respondent's submissions and that a fair

trial remained possible, and that it could not proceed because the respondent had been told incorrect information about withdrawal and its witnesses were not available UPON considering that the interests of justice made it necessary to set the judgment aside and allow the claim to proceed to a final hearing with case management AND FOR THE REASONS ABOVE AND OF the Tribunal's own motion IT IS ORDERED THAT the strike out judgment of Employment Judge Adkinson made on 17 June 2025 is set aside.

Approved by:
Employment Judge Adkinson
Date: 19 June 2025
Sent to the parties on
...24 June 2025.....
For the Employment Tribunal
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Notes

The reasons for the judgement are set out in the recitals above

Public access to employment tribunal decisions

All judgments (apart from withdrawal judgments) and written reasons for the judgments (if provided) are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the parties in a case.

Appeals

You can appeal to the Employment Appeal Tribunal if you think a legal mistake was made in an Employment Tribunal decision. There is more information here: <https://www.gov.uk/appeal-employment-appeal-tribunal>.

Recordings

If a Tribunal hearing has been recorded, you may request a transcript of the recording upon payment of any fee due. 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. You can access the Direction and the accompanying Guidance here: <https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>.