



EMPLOYMENT TRIBUNALS

Claimant: Mr. Ashok Ahir

Respondent: F Hinds Limited

JUDGMENT

The claimant's application dated 20 February 2025 for reconsideration of the judgment given on 19 February 2025 is refused.

REASONS

1. There is no reasonable prospect of the original decision being varied or revoked. The Claimant in his application makes his request on the grounds that the Tribunal made an error in refusing to admit the notes made by the claimant on his mobile phone.
2. In his application, the claimant claims that the mobile phone notes were contemporaneous and that they verified that the complaints made by him had occurred in the manner that he relied upon at the hearing.
3. In its decision the Tribunal determined that the documents should not be included as no good reason had been advanced as to why they could not be disclosed in accordance with the directions made at the Case Management hearing on 21 May 2024.
4. *The Tribunal in its decision at paragraph 27 stated that "In respect of the claimant's later I phone text notes, The Tribunal was not satisfied with the explanation proffered for why they were not previously disclosed prior to 14 February 2025. The Tribunal considered that it would be disproportionate to admit these documents, as there would be unfair to the respondent. Given the fact that the hearing was due to take place, the respondent would not have the opportunity to carry out an examination of the phone and provenance of the notes, accordingly the Tribunal refused to admit the I-phone notes and the training record and the product information."*
5. The Tribunal is satisfied that in all the circumstances its refusal to admit the mobile phone notes/records was correct.
6. In his request for a reconsideration the Claimant has varied his case in subtle, but significant ways. Although the note referred to may have been made in

short hand The record noted is that:- “...*he said “what they say old git referring to my age and asked how old I said over 50 plus.”* Although the claimant alleged that he was called an “Old Git “by Mr. Jeremy Hinds in his evidence there was no other discussion such as his being asked about his age.

7. The Claimant also has a detailed note about an incident which occurred on 7 September 2023, in it he refers to “being tired and swerving to the inside lane”. Due to the long hours that he had worked. The Claimant in his evidence did not set out that this was the context in which he was repeatedly called “Old” by Ms. Clark.
8. The Tribunal reached its decision by considering the evidence on a balance of probabilities
9. The claimant in his request for a reconsideration has put forward no new grounds to undermine the findings of the Tribunal.
10. Accordingly, the request to reconsider the decision in respect of Judgment is refused.

Approved By

Employment Judge **Judge Daley**

Date__24.06.2025_____

JUDGMENT SENT TO THE PARTIES ON

2 July 2025

FOR THE TRIBUNAL OFFICE