



# **EMPLOYMENT TRIBUNALS**

## **BETWEEN**

**Claimant:** Mr C Smith

**Respondent:** B & M Retail Limited

## **JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

**HELD** at Birmingham (in private, remotely by CVP audio)

**ON** 18 August 2025

**BEFORE EMPLOYMENT JUDGE** Dimbylow

### **Representation**

**For the claimant:** Not present or represented

**For the respondent:** Mr J Campbell, Solicitor

Upon the respondent's application to dismiss the claim because of the claimant's non-attendance at today's private preliminary hearing.

And upon the claimant failing to comply with orders of the tribunal made on 11 January 2025 and 22 April 2025.

And upon the claimant failing to answer 2 telephone calls made to him during the course of this hearing by my clerk.

And upon the claimant failing to respond to an email sent to him during the hearing at 2.21pm by my clerk directing him to join the hearing by 2.40pm.

### **The judgment of the tribunal is that:**

The claimant's claim is dismissed pursuant to Rule 47 of the Employment Tribunal Procedure Rules 2024.

Approved by Employment Judge Dimbylow  
on 18 August 2025

Notes:

- (1) Reasons for the judgement were given orally at the hearing; written reasons will not be provided unless a request was made by either party at the hearing (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.
- (2) All judgments and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimant and respondent.
- (3) 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:
- (4) <https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>