



EMPLOYMENT TRIBUNALS

Claimant: Mr Z Lajimi
Respondent: Travelodge Hotels Limited

JUDGMENT

The claimant's application dated 4 August 2025 for reconsideration of the judgment sent to the parties on 23 July 2025 is refused.

REASONS

1. The claimant has applied for a reconsideration of the reserved judgment sent to the parties on 23 July 2025 under r.69 of the Employment Tribunal Procedural Rules 2024. Having considered the application under r.70(2), the employment judge considers that there is no reasonable prospect of the judgment being varied or revoked on those grounds. The application for a reconsideration is rejected.
2. The procedure for an application for a reconsideration set out in r.70 Procedural Rules 2024 is a two stage process. If the employment judge who chaired the tribunal panel which made the judgement considers that there is no reasonable prospect of the original decision being varied or revoked the application shall be refused under rule 70(2) and the Tribunal shall inform the parties of the refusal. Otherwise the Tribunal shall send a notice to the parties setting a time limit for any response and seeking the views of the parties on whether the application can be determined without a hearing. That notice may set out the Judge's provisional views on the application. Unless the judge considers that a hearing is not necessary in the interests of justice, if the application is not rejected under rule 70(2), then the original decision shall be reconsidered by the full tribunal who made the original decision.
3. The power to reconsider a judgement under rule 70 can only be used if it is necessary to do so in the interests of justice. That is apparent from the wording

of the rule itself and, as it was held, by HH Judge Shanks in Ebury Partners UK Limited v Acton Davies [2023] IRLR 486 EAT a central aspect of the interests of justice is that there should be finality in litigation.

“It is therefore unusual for a litigant to be allowed a ‘second bite of the cherry’ and the jurisdiction to reconsider should be exercised with caution. In general, while it may be appropriate to reconsider a decision where there has been some procedural mishap such that a party has been denied a fair and proper opportunity to present his case, the jurisdiction should not be invoked to correct to suppose that error made by the ET after the parties have had a fair opportunity to present their cases on the relevant issue. This is particularly the case where the error and it is one of law which is more appropriately corrected by the EAT.” (Para 24 of the judgement of HHJ Shanks).

4. The claimant seeks a reconsideration of the decision that there should be deductions from the basic award and compensatory awards. The basis of the application appears to be an argument that the claimant asserts that he bears no responsibility for his dismissal. This was an argument he ran at the final hearing and which was rejected. No basis is shown why that should be reconsidered after a fair opportunity to persuade the tribunal of that argument.
5. To the extent that the application is based on the argument that the respondent had failed to show during his employment and at the hearing what the correct way was to pay CK, in the first place this only affects the additional 5% deduction from the basic award because his conduct in relation to CK did not contribute to his dismissal. In the second place, there was evidence available to the tribunal from which we could base our conclusion that the claimant's conduct in relation to the ad hoc appointment of CK to the supervisor's position was blameworthy as we explain in paragraph 216 of the corrected judgment. The claimant repeats arguments which he either made or could have made at the final hearing. It is not in the interests of justice to reconsider a judgment in those circumstances.
6. Any appeal should be sent to the Employment Appeal Tribunal and not to the Employment Tribunal as set out in the notes accompanying the reserved judgment.

Date: 18 August 2025

Approved by

Employment Judge George

JUDGMENT SENT TO THE PARTIES ON

22/08/2025

FOR THE TRIBUNAL OFFICE