



EMPLOYMENT TRIBUNALS

Claimant: Mr D V Lacatus

Respondent: UKE Multidrop Limited

Heard at: Midlands West (In Person)

On: 6 October 2025

Representation:

Claimant: No attendance and was not represented

Respondent: Mr C Ludlow (Counsel)

JUDGMENT

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

REASONS

1. This case was fixed for a Public Preliminary Hearing to be held today, by Employment Judge Knowles at a case management preliminary hearing on 3 June 2025 at which the claimant's representative was present and represented the claimant.
2. The issues to be determined at today's hearing were confirmed as follows;
 - (a) Whether the claimant's claim form includes all the complaints listed in the draft list of issues; or whether he requires permission to amend his claim.
 - (b) If he requires permission to amend, whether the claimant should be allowed to amend his claim to include all the complaints listed in the draft list of issues;
 - (c) Whether the claim or any part of it should be struck out because it has no reasonable prospect of success?
 - (d) Alternatively, does the claim or any part of it have little reasonable prospect of success, and if so, should the claimant be ordered to pay a deposit of between £1 and £1,000 as a condition of continuing with it?
3. At the start of today's hearing, Counsel for the respondent Mr Ludlow was in attendance with Ms Tara (Para Legal) and an observer Mr R Chung from the respondent. Also present in the waiting room was Miss C Garlea an interpreter for the claimant. Neither the claimant or his representative Mr Pal were in attendance.
4. During the time period from 10am to 10.30am, the Tribunal clerk made 6 unsuccessful attempts to contact the claimant and Mr Pal on their mobile phones being the contact numbers on the Tribunal file. On each occasion there was no response and/or the mobile phone went to voicemail. The clerk also sent an urgent email to Mr Pal to contact the Tribunal. He did not do so.

5. At 10.40am, I started the hearing in the absence of the claimant and Mr Pal. Mr Ludlow invited the Tribunal to dismiss the claimant's claim pursuant to Rule 47 of the Employment Tribunal Procedure Rules 2024. Mr Ludlow pointed out that in August 2025 the respondent solicitors and Mr Pal were in correspondence about this case; that on 15 September 2025 the respondent solicitors sent a copy of the bundle for this hearing to Mr Pal which he acknowledged receipt of, and also requested an extension of time to serve the claimant's skeleton argument. The respondent solicitors then wrote to Mr Pal on 26th, 29th and 30th September 2025 in an attempt to exchange their skeleton arguments for this hearing. Mr Pal has not responded.
6. The Tribunal clerk confirmed that no correspondence has been received from the claimant or Mr Pal about today's hearing and that the Notice of Hearing for today's hearing with the Case Management Orders was sent to both parties by email on 4 June 2025 using the email address used by the parties. The last correspondence received from the claimant on file was at the last preliminary hearing on 3 June 2025.
7. I therefore considered the Tribunal's power under Rule 47, to dismiss the claim. Rule 47 provides: *"If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim... Before doing so, it shall consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the party's absence."* This power must be exercised in accordance with the overriding objective in Rule 3. The overriding objective is to deal with cases fairly and justly. This includes avoiding delay, saving expense and acting proportionately.
8. I was satisfied that Mr Pal was on notice of this hearing on the following basis. He was present at the hearing on 3 June 2025 when this hearing date was agreed and fixed by Employment Judge Knowles. The Notice of Hearing was emailed to him on 4 June 2025, and the Hearing bundle sent to him on 15 September 2025 contains the Notice of Hearing (p80). I was also satisfied that the Tribunal has not received any communication from the claimant or Mr Pal to explain their non-attendance, and there has been no application to postpone this hearing either.
9. I was satisfied that the appropriate practicable enquiries have been made to contact the claimant and Mr Pal to establish whether there is any good reason for their non-attendance. Having done so there appears to be no good explanation and failure to inform the Tribunal of their non-attendance. I took into consideration that the interests of justice include the interests of all parties coming to the Tribunal and that I have a duty to save costs, resources and the public pursue (having had an interpreter present today) where possible. I therefore, in the circumstances, considered that it was proportionate and consistent with the overriding objective to dismiss the claims under Rule 47 in light of the claimant and his representative's non-attendance without good reason.

Approved by:
Employment Judge Bansal
6 October 2025

Notes

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.