



EMPLOYMENT TRIBUNALS

PRELIMINARY HEARING

Claimant	Mr Asad Rao
Represented by	Did not appear and was not represented
Respondent	Lloyds Bank PLC
Represented by	Mr S Healy of Counsel
Employment Judge	Ms A Stewart (sitting alone)
Held at:	London Central by CVP
	on: 18 August 2025

JUDGMENT

Under Rule 38(1)(d) of The Employment Tribunals Rules of Procedure 2024, the Claimant's claim is struck out in its entirety because it has not been actively pursued.

Employment Judge Stewart

Date 18 August 2025

Judgment sent to the parties on

21 August 2025

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FOR THE TRIBUNAL OFFICE

THE EMPLOYMENT TRIBUNALS



Claimant

Mr Asad Rao

Respondent

Lloyds Bank PLC

REASONS

The Facts:

1 On 28 February 2025, the Claimant failed to attend the first PH listed in this case, without any communication, and was uncontactable by the Tribunal clerk on that day. The Tribunal wrote to him on the same day asking that he confirm that he wished to pursue his claim, by 14 March 2025. He did not reply. The PH was relisted for 16 April 2025.

2 On 2 April 2025 the Tribunal wrote to the Claimant saying that it proposed to strike out his claims because of failure to comply with Tribunal Orders and/or because it was not being actively pursued and that he should write in setting out his objections to this proposed strike out by 9 April 2025. He did not reply.

3 On 14 April 2025 at 14.13 hours, the Tribunal sent an email to the Claimant saying that since there had been no response from the Claimant, a strike out judgment would be issued.

4 Four minutes later on the same day, at 14.17 hours, the Claimant sent an email apologising for his 'little to no communication on the case in the past few months', saying he had been busy retaking his university year and asking to delay the PH until July/August so that he could deal with his other affairs first.

5 Accordingly, the Tribunal vacated the PH listed for 16 April 2025 and relisted it for today, 18 August 2025. A notice of hearing was sent to the parties on 16 April 2025.

6 The Claimant did not attend the hearing today and there has been no communication from him. At 10.05 the Tribunal clerk called his mobile, which did not answer, and left a message asking him to attend the hearing without delay. The clerk also sent an email to the Claimant to the same effect.

7 There has been no communication of any sort from the Claimant. The only communication received by the Tribunal or the Respondent since the ET1

was presented on 30 September 2024, was the single email sent by the Claimant on 14 April 2025 referred to in paragraph 4 above of these Reasons.

Conclusions:

8 The Respondent urges that in all the above circumstances this claim be now struck out since it is clear that the Claimant is not actively pursuing it.

9 The Tribunal is very mindful that strike out is a draconian sanction, as a very last resort. It also carefully considered the alternative of an Unless Order in this case. However, given the past history of events in this case, the Claimant being fully aware of the strike out warning/sanction and his subsequent failure to take this seriously, the Tribunal concluded that an unless order would serve no useful purpose.

10 The Tribunal also had regard to the overriding objective of dealing with all cases fairly and justly, including the proportionate allocation of resources among Tribunal users and avoiding unnecessary delay and expense. A further PH would be required in this case and there seems very little likelihood, based on events so far, that the Claimant would attend. This would occasion further waste of Tribunal time and resources and further costs and delay for the Respondent.

11 The Tribunal concluded, having regard to the chronology of events set out above, that it is appropriate to strike out the claim in this case because the Claimant has clearly failed actively to pursue his claims. He has failed to attend 2 preliminary hearings, without explanation, one of which has indeed been listed at his convenience and request. He has offered no explanation. He has failed to communicate with the Tribunal or the Respondent at all, except for one single email sent on 14 April 2025 (paragraph 4 above). There is no indication or evidence that he has failed to receive any of the communications sent by the Tribunal or that he is unable to take the steps required. He has been warned of strike out and has failed to take steps to comply with Tribunal orders or to take any steps to actively pursue his claims in the 4 months since that warning was issued.

12 For all of the above reasons the Claimant's complaints are struck out in their entirety for failure actively to pursue them.

Employment Judge Stewart

Date 18 August 2025

Reasons sent to the parties on

21 August 2025

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FOR THE TRIBUNAL OFFICE