



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr A Mohan

**Respondent:** The Vegan Society

## JUDGMENT

The claim is struck out.

## REASONS

1. Employment Judge Harding directed the Tribunal to write to the claimant on 9 May 2025 warning him that the Tribunal was considering striking out the claim. This was because it appeared to the Tribunal, applying Rule 38 of the Employment Tribunal Procedure Rules 2024, that
  - the claim had not been actively pursued;
2. The letter gave the claimant an opportunity to explain why the claim should not be struck out, or to request a hearing at which to do so. Employment Judge Edmonds then directed the Tribunal to write to the claimant on 8 December 2025 inviting him to comment on the respondent's contention that the claimant had failed to comply with the case management orders previously issued and had thereby jeopardized the final hearing listed to commence on 12 January 2026. The claimant responded by letter dated 12 December 2025 but failed to address any of the matters ordered by Employment Judge Edmonds.
3. I am satisfied that the grounds for striking out the claim under Rule 38 apply, and that it would be in accordance with the overriding objective in Rule 3 to strike out the claim. This is because:
  - a. It has not been actively pursued. The Claimant's email of 12 December 2025 wholly fails to engage with the issues the Respondent raises in its solicitors' email of 11 December 2025, and which it has been raising with him and with the Tribunal for many months.
  - b. For the reasons set out in the Respondent's solicitors' email of 11 December 2025, it is not possible to have a fair hearing on the scheduled

dates of 12 to 19 January 2026 – see *Emuemukoro v Croma Vigilant (Scotland) Ltd [2022] ICR 327*. The Respondent is understandably materially unprepared for that hearing because of the Claimant's failure to actively pursue his Claim.

4. The claim is therefore struck out.
5. The hearing on **12 – 19 January 2025** will not take place.

**Approved by:  
Employment Judge Faulkner**

**Date of approval:  
15 December 2025**