



## EMPLOYMENT TRIBUNALS

**Claimant:** Mr D Depczynski

**Respondent:** Cramlington Precision Forge Ltd

## JUDGMENT

The claim is struck out.

## REASONS

1. On 25 July 2025 the Tribunal sent an Order to the claimant on 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 Order 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. The claimant has not replied.
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. The claimant did not attend the hearing on 9 July 2025. He would have been aware of the hearing by reference to the notice of hearing. He was sent an agenda by the respondent which was endorsed with the date of the hearing. The claimant would have received CVP joining details again setting out the date of the hearing.
  - b. The claimant did not tell the tribunal he would not be able to attend the hearing.
  - c. The claimant did not complete the agenda that had been sent to him ahead of that hearing.
  - d. The claimant has not offered an explanation for his non attendance since the hearing and nor has he taken the opportunity to explain why his claim should not be struck out.
4. The claim is therefore struck out.
5. The hearing on **12 December 2025** will not take place.

Approved by:

**Employment Judge Aspden**

**3 December 2025**