



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr T Bullen

**Respondent:** TESCO STORES LIMITED

## JUDGMENT

The claims are struck out.

## REASONS

1. On 8 May 2025, the Tribunal wrote to the parties asking for proposals by 15 May 2025 as to how the apparent duplication between the claims was to be resolved and whether the claims should be heard together or the second claim be treated as an amendment application of the first claim. The Claimant did not respond.
2. On 22 May 2025, the Respondent said the claims should be heard together and asked for its application to strike out the claims or for a deposit order in the alternative to be considered. It said it had not heard from the Claimant.
3. On 25 May 2025, the first claim was listed for a final hearing on 11 and 12 December 2025 with associated case management directions.
4. On 18 August 2025, it was ordered that the claims were heard together. The Claimant was required to provide a response to the strike out application by 1 September.
5. No response was received from the Claimant.
6. The Tribunal wrote to the claimant on 7 November 2025 warning them 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.
7. The letter gave the claimant an opportunity to explain by 14 November 2025 why the claim should not be struck out, or to request a hearing at which to do so. The claimant has not replied.
8. On 20 November 2025, the Respondent wrote to the Tribunal and said that it had not received any correspondence about the strike out application from the

Claimant. Further on 30 October 2025 the Claimant informed the Respondent that he wanted to withdraw his claim.

9. 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 the Claimant has not replied to several requests for responses by the Tribunal. There has been no response from the Claimant to the strike out warning. I am satisfied that the claim is not being actively pursued.
10. The claim is therefore struck out.
11. The hearing on 11 and 12 December 2025 will not take place.

Approved by:

**Employment Judge Bax**

**20 November 2025**

JUDGMENT SENT TO THE PARTIES ON  
**8<sup>th</sup> December 2025**

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Simon Fraser

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FOR THE TRIBUNAL OFFICE