



EMPLOYMENT TRIBUNALS

Claimants:

Mr G Gurau v

Respondent:

Claylens Mills Limited

Heard at: London (South) (via CVP)

On: 13 January 2026

Before: Employment Judge Fredericks-Bowyer

Attendances:

For the claimant: Did not attend

For the respondent: Did not attend

STRIKE OUT

The claim is struck out because (1) it has not been actively pursued and (2), upon the claimant not attending the final hearing today, there can be no fair hearing in the listed window. There is no other proportionate response than strike out.

REASONS

1. This was a claim for unlawful deduction from wages. The respondent did not present an ET3 on time. The claim is expressed in an equivocal fashion with a request for 'around' £3,300.
2. On 18 August 2025, the claimant was asked to provide further information to quantify the claim in order to decide whether the proceedings could be dispensed with without a hearing. The claimant did not respond to that request.
3. On 7 January 2026, the Tribunal wrote to the claimant to advise him that the Legal Officer was considering whether the claim should be struck out because it was not being actively pursued. This was on the basis of lack of response to the letter of 18

August 2025. The claimant was warned he should respond by 9 January 2026. He has not responded.

4. I consider, having viewed the file, that the only action the claimant has taken in respect of this claim is to file the ET1. He has not complied with any directions, responded to any communication, and not interacted with the Tribunal in any way since 3 July 2025 (when his claim was lodged).
5. This was the final hearing listed on the case. The claimant has not attended the hearing either.
6. I have the power to strike out the claim if it has not been actively pursued. I am satisfied the claimant has never actively pursued this claim. To strike out the claim at this stage, I must also consider it is proportionate to do so.
7. In my view, the claimant could have attended today and provided the information required from him. It would not, therefore, have been proportionate to strike out the claim for his failure to respond to the 7 January 2026 letter (which arguably did not allow reasonable time to respond before the proposed sanction could be applied).
8. However, failure to attend the final hearing in the matter on the back of silence and non-compliance is, in my view, the ultimate confirmation that a claim is not intended to be pursued. The claimant has lost a final opportunity to explain his case.
9. In addition, I consider that there can be no fair hearing of the issues in the case where the claimant has not provided required information and has not attended the hearing. This is an additional ground which allows the claim to be struck out. In my view, it is not proportionate to relist the final hearing in all the circumstances. To do so takes resources away from other Tribunal users who are actively pursuing cases, and whom should be prioritised in terms of having precious hearings listed in those cases.
10. In my judgment, striking out the claim is the only appropriate response. The claim is struck out.

Approved by: Employment Judge Fredericks-Bowyer

13 January 2026

Sent to the parties on:
3 February 2026

For the Tribunal Office:

P Wing