



EMPLOYMENT TRIBUNALS

Claimant: Mr. A. Naumov
Respondent: FIL Investment Management Limited
Considered at: London South Employment Tribunal
By: Employment Judge Sudra
On: 13th March 2026

RECONSIDERATION JUDGMENT

The Claimant's application for reconsideration of the Reserved Judgment in this matter, promulgated on 26th February 2026, is refused and the decision in that Judgment is **CONFIRMED**.

Application

1. The Respondent applied, under Rule 69 of the Employment Tribunal Procedure Rules 2024, for reconsideration of the Tribunal's decision.
2. The Claimant, on 11th March 2026, has applied for a reconsideration of the judgment as he says:

'I felt unwell as being in Poland for medical reasons and my vulnerability due to the fact that English is my second language.'

The Claimant, in his reconsideration application, also seeks to undermine and question the validity of the Respondent's defence.

REASONS

Discussion of the Grounds in this Application

3. The Claimant, at the outset of the Interim Relief Hearing, confirmed that he was prepared and ready to proceed. The Claimant did not request an interpreter and there was no linguistic impediment apparent. In fact, the Claimant presented himself cogently and confirmed he understood each stage of the Hearing.

4. The majority of the Claimant's reconsideration application consists of his view of the Respondent's evidence and him pleading matters which would be tested at a Final Hearing.

Relevant Law

5. There is an underlying public policy principle in all judicial proceedings that there should be finality in litigation, and reconsideration applications are a limited exception to that rule. The importance of finality was confirmed by the Court of Appeal in Ministry of Justice v. Burton and anor [2016] EWCA Civ 714 in July 2016 where Elias LJ said that:

'...the discretion to act in the interests of justice is not open-ended; it should be exercised in a principled way, and the earlier case law cannot be ignored. In particular, the courts have emphasised the importance of finality (Flint v. Eastern Electricity Board [1975] ICR 395) which militates against the discretion being exercised too readily; and in Lindsay v. Ironsides Ray and Vials [1994] ICR 384 Mummery J held that the failure of a party's representative to draw attention to a particular argument will not generally justify granting a review.'

6. Similarly, in Liddington v. 2Gether NHS Foundation Trust EAT/0002/16 the EAT chaired by Simler P (as she then was) said in paragraph 34 that:

'a request for reconsideration is not an opportunity for a party to seek to re-litigate matters that have already been litigated, or to reargue matters in a different way or by adopting points previously omitted. There is an underlying public policy principle in all judicial proceedings that there should be finality in litigation, and reconsideration applications are a limited exception to that rule. They are not a means by which to have a second bite at the cherry, nor are they intended to provide parties with the opportunity of a rehearing at which the same evidence and the same arguments can be rehearsed but with different emphasis or additional evidence that was previously available being tendered.'

7. In common with all powers under the 2024 Rules, reconsideration under rule 70 must be conducted in accordance with the Overriding Objective which appears in rule 3, namely, to deal with cases fairly and justly. Achieving finality in litigation is part of a fair and just adjudication.
8. Reconsideration is not a means by which to have a second bite at the cherry, or is it intended to provide parties with the opportunity of a rehearing at which the same evidence and the same arguments can be rehearsed but with different emphasis or additional evidence that was previously available being tendered.
9. Tribunals have a wide discretion whether or not to order reconsideration. Where a matter has been fully ventilated and properly argued, and in the absence of any identifiable administrative error or event occurring after the hearing that requires a reconsideration in the interests of justice, any asserted error of law is to be corrected on appeal and not through the back door by way of a reconsideration application.

10. For all of the above reasons, the Claimant's application is refused in its entirety.

Employment Judge Sudra
Date: 13 March 2026

Sent to the parties on:
Date: 25 April 2026