



EMPLOYMENT TRIBUNALS

Claimant: Mr P Zarbakht

Respondent: Comave Uk Limited

Heard at: London South

On: 28 July 2026

Before: Employment Judge Heath

Representation

Claimant: Did not attend

Respondent: Did not attend

JUDGMENT

The claim is dismissed under Rule 47 Employment Tribunals Rules of Procedure 2024 ("ET Rules") on the non-attendance of the parties.

REASONS

1. This is a claim for unpaid wages from a claimant who indicated he was still employed by the respondent. The respondent did not present a Response, and was written to on 23 April 2026 under Rule 22 ET Rules to say that a judgment may now be issued. A final hearing had been listed for today.
2. On 27 July 2026 the claimant was emailed the joining instructions for this hearing. At 14.34 he responded to the email saying:

Thank you for your email.

I was under the impression that this matter had been resolved, as we have now received the payment that was outstanding.

Could you please confirm what this hearing relates to, and whether my attendance is still required?

3. Unfortunately this email was not picked up by admin staff until this morning shortly before the hearing. Neither party attended the hearing.
4. Under Rule 47 ET Rules it is open to the tribunal to dismiss a claim in the absence of a party. Before doing so the tribunal must consider any information which is available to it, after any practicable inquiries, about the reason for the parties' absence.

5. It appears to me that the email from the claimant is clear about why he is likely to be absent: his claim has been resolved as he has been paid his outstanding wages. It would have been open to me to cause admin to write to the claimant to confirm that he was withdrawing his claim, and thereafter for a judge to dismiss the claim on its withdrawal. However, I see little point in putting both the tribunal and the claimant to the administrative and time burden of doing something that can be achieved with my dismissing the claim under Rule 47 ET Rules. The claimant has said in the clearest of terms that his claim has been resolved.

Approved by:
Employment Judge Heath
Date: 28 July 2026

Sent to the parties on:
Date: 29 July 2026

Notes

Summary reasons were given orally at the hearing. Written summary reasons will not be provided unless requested by any party at the hearing, or by a written request received by the Tribunal within 14 days of the sending of the written record of the decision.

All judgments (apart from judgments under Rule 51) and any written full reasons for judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimant(s) and respondent(s).

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings and accompanying Guidance, which can be found here:

www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/