



EMPLOYMENT TRIBUNALS

Claimant: Debbie Ann Smith

Respondent: Ratpdev Transit London

JUDGMENT

The claim is struck out.

REASONS

1. The Tribunal wrote to the claimant on 21 July 2026 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
 - it was no longer possible to have a fair hearing of the claim, because the claimant had not complied with the Orders of the Tribunal dated 28 March 2025; and
 - the claim was not being actively pursued
2. The letter 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 the claim is not being actively pursued and there has been non-compliance with Orders such that a fair trial is not possible on the days when the case had been listed to be heard. There has been no schedule of loss provided by the claimant and no disclosure. Consequently, a Bundle has not been prepared and no exchange of witness statements.
4. The claim is therefore struck out.

5. The hearing on 1-3 September 2026 will not take place.

Approved by:

Regional Employment Judge Khalil
19 August 2026