



EMPLOYMENT TRIBUNALS

Claimant: Kelly Roberts

Respondent: Asda Stores Limited

JUDGMENT

The claim is struck out.

REASONS

1. The Tribunal wrote to the claimant on 30 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
 - the claimant had not complied with the Order of the Tribunal dated 27 February 2026; and
 - the claim had not been actively pursued; and/or
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 Claimant has failed to comply with case management orders and failed to actively pursue the claim. The respondent has confirmed that they have not received any documents from the claimant that have been ordered. The respondent also confirms that they attempted to contact the claimant on 8 May 2026 and 20 May 2026 to chase these orders and have received no reply. The claimant has not contacted the Tribunal at all since the claim form was filed, in reply to the warning letter of 30 July 2026 (on or after 20 August 2026, the deadline given for reply, in relation to the case management orders, or on any other subject.
4. The claim is therefore struck out.
5. The hearing on **24 August 2028** and **25 August 2028** will not take place.

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Approved by:

Employment Judge Atkins

6th October 2026

Judgment sent to parties on:
7th October 2026

For the Tribunal Office

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