Case No: 6013877/2024

EMPLOYMENT TRIBUNALS

Claimant: Mr S Moullef

Respondent: New Life Balance Limited

JUDGMENT ON RECONSIDERATION

The application for reconsideration is refused.

REASONS

1. This judgment addresses an application dated 17 August 2026 by the claimant (***the Application***) for reconsideration of the Tribunal's judgment dismissing the claim, which was sent to the parties on 5 August 2026 (***the Judgment***).

2. Rule 70 sets out the relevant process for reconsideration. It falls to me initially to consider whether Rule 70(2) applies:

   "If the Tribunal considers that there is no reasonable prospect of the judgment being varied or revoked (including, unless there are special reasons, where substantially the same application has already been made and refused), the application must be refused and the Tribunal must inform the parties of the refusal."

3. I have considered the points raised in the Application. In my judgement, there is no reasonable prospect of the original decision being varied or revoked. This is for the following reasons.

4. The main argument in the claimant's application is that, having emailed the Tribunal on 8 July 2026 (see paragraph 4 of the Judgment) but not received a response, he did not believe the hearing would be going ahead. However:

   a. The Tribunal's letter of 2 July 2026 to which the claimant's email was in reply contained no indication that the final hearing would not go ahead as planned. Indeed, it was a follow-up to the Tribunal's standard form pre-hearing check letter which served to remind the claimant of the hearing being listed to commence on 28 July 2026.

   b. The claimant's email does not explicitly ask for a postponement of the final hearing. In fact, he does expressly ask for a hearing to "*allow me to explain my circumstances more clearly and respond properly to any questions the Tribunal may have*".

c. Though the Tribunal did not respond to the claimant's email, the respondent had in its email of 30 June 2026 (whilst highlighting the claimant's failure to comply with case management directions) indicated it was ready to proceed and intended to attend the hearing. The respondent then copied the claimant on a number of emails to the Tribunal on 15 & 16 July 2026 by which it provided its witness evidence and a hearing bundle. That should have alerted the claimant that the respondent was proceeding on the basis the hearing was going ahead.

5. It was therefore, in my judgement, not a reasonable assumption for the claimant to make that the hearing listed to begin on 28 July 2026 would not go ahead. He was plainly aware of the listed dates – the notice of hearing was sent as long ago as 23 January 2025 and was reconfirmed in EJ Beale KC's Case Management Orders sent to the parties on 22 November 2025 following a preliminary hearing on 21 October 2025.

6. Having regard to the above, I am satisfied that the conclusions I drew in paragraphs 8 & 9 of the Judgment were the right ones in the circumstances of the case and the Application offers no reasonable prospect of persuading me otherwise.

7. The Application is therefore refused.

Approved by:

Employment Judge Abbott

Date: **5th October 2026**

Judgment sent to parties on:
7th October 2026

For the Tribunal Office

Public access to employment tribunal decisions
Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.