



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr A-S Uddin  
**Respondent:** Mr J Sidhu  
**Heard at:** Watford Employment Tribunal (in public; by video)  
**On:** 21 February 2022  
**Before:** Employment Judge Quill (Sitting Alone)

## Appearances

For the Claimant: No Appearance or Representation  
For the respondent: In Person

## JUDGMENT

1. The claim is dismissed.

## REASONS

2. Rule 47 states:

### 47. Non-attendance

If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that party. Before doing so, it shall consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the party's absence.

3. The Claimant did not attend and all practicable enquiries were made, without success. At 2pm, while in the video hearing with the Respondent, I phoned the Claimant's number. There was no reply and, after several rings, it was diverted to voicemail. I left a message, including my name, and stating that the hearing was underway, and that the Claimant should join immediately.
4. A member of tribunal staff sent an email to the Claimant reminding him about the the hearing was starting, but there was no reply.
5. I had a brief discussion with the Respondent's at 2pm, who informed me that he had had no contact from the Claimant since he submitted his claim.
6. I adjourned until 2.20pm to allow the Claimant a further opportunity to join, or to respond to the email. At 2.20pm, the hearing resumed and the Claimant was still not present. (I had monitored the video lobby during the

adjournment, and he had not logged in during the break.)

7. The email address in the ET1 matched the one to which the notice of hearing was sent. A change of start time was notified to the parties by the same method.
8. The Respondent was ready to proceed and attended the hearing, and had supplied some documents relating to the Claimant's (alleged) pay.
9. The Respondent's invited me to dismiss, and I do so. I am satisfied that the Claimant has been aware of this hearing since the notice was sent out in November, and has been reminded of it by the notification of the change of time sent to him on 18 February.
10. A postponement is not appropriate as there is no reason to think that the Claimant would attend the resumed hearing. In any event, that would not be fair to the Respondent who was ready and able to proceed today. I was not invited to conduct the hearing in the Claimant's absence, and the Claimant's complaints would have required further clarification from him in any event. Dismissal is appropriate in the circumstances.

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**Employment Judge Quill**

Date: 21 February 2022

JUDGMENT SENT TO THE PARTIES ON

10/3/2022

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FOR THE TRIBUNAL OFFICE

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