



EMPLOYMENT TRIBUNALS

Claimant: Mr W Wereszczynski

Respondent: Farmers Boy Ltd

JUDGMENT

1. By a letter dated 14 March 2023 the Tribunal gave the claimant an opportunity to make representations or to request a hearing, as to why the claim should not be struck out because he had not complied with the Orders of the Tribunal in letters dated 31st January and 8th March 2023, and because he had not actively pursued the claim.
2. The claimant has failed to make representations in writing why this should not be done or to request a hearing. The claim is therefore struck out.
3. The hearing listed on 21st March 2023 is cancelled.

REASONS

There has been no communication from the Claimant since 8th December 2022. Even then it was unclear whether he was or was not saying that he would in fact be able to participate in a final hearing when listed.

Since that date the Tribunal has made two further specific requests for information as to his health and/or ability to attend the hearing. There has been no reply. In these circumstances it is not proportionate that the Respondent incurs the potentially wasted costs of attending the listed hearing: it must therefore be at least postponed.

Also, even allowing for the Claimant's language difficulties, it now appears that he is not actively pursuing his claim and it will be struck out. This will be more cost-efficient than the alternative of leaving the case listed, only in all probability for it then to be dismissed upon non-attendance.

Employment Judge Lancaster

16 March 2023