



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr L Serdiuk

**Respondent:** ALM Foods Ltd

**Held at:** Manchester

**On:** 2 October 2018

**Before:** Regional Employment Judge Parkin

**Representation:**

**Claimant:** In person

**Respondent:** Mr T Toor, Director

## JUDGMENT AT A RECONSIDERATION HEARING

Employment Tribunals Rules of Procedure 2013, Rule 72

**The judgment of the Tribunal is that** the Rule 21 Judgment sent out on 22 June 2018 is revoked and the respondent is entitled to resist the claimant's claim.

## REASONS

- 1 This was a Reconsideration Hearing listed at the request of the respondent following the Rule 21 Judgment sent out on 22 June 2018, when no response had been presented to the claim.
- 2 Although no mail was returned as undelivered by Royal Mail, having heard the evidence of Mr Toor, the Tribunal was not satisfied that the Notice of Claim and ET1 claim form had ever been received by the respondent.
- 3 Accordingly, the Rule 21 Judgment must be revoked and the respondent be given the opportunity to resist the claim in full or in part.

**Regional Employment Judge Parkin**

2 October 2018

JUDGMENT SENT TO THE PARTIES ON

17 October 2018

AND ENTERED IN THE REGISTER

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FOR THE TRIBUNAL OFFICE