



EMPLOYMENT TRIBUNALS

Claimant: Mr A Baig

Respondent: Securicore Limited

Heard at: Leeds

On: 10 May 2019

Before: Employment Judge D N Jones

REPRESENTATION:

Claimant: Not in attendance

Respondent: Mrs A Datta

JUDGMENT

The claims are dismissed under rule 47 as neither the claimant nor his representative have attended the hearing.

REASONS

1. This is a claim or unauthorised deductions from wages. It had been listed for a preliminary hearing today to consider striking it out on the ground that it had been presented outside the time limits for pursuing such cases.
2. Neither the claimant, nor the representative he had named on the claim form, attended. The tribunal attempted to make contact with the claimant by way of the telephone number on the claim form, but without success. The tribunal was able to contact the claimant's representative, but he said he was unaware of the hearing.
3. This case had originally been listed for hearing on 28 March 2019. The notice of that hearing was sent to the claimant's representative on 7 February 2019. The claimant telephoned the tribunal on 15 March 2019 to say that he was unaware of the hearing date until recently contacted by ACAS and that he could not attend

because he would be on pilgrimage in Saudi Arabia. He subsequently provided details of the pre-booked flight.

4. Employment Judge Lancaster postponed that hearing and listed a preliminary hearing to determine whether the claim had been presented out of time. His order and the date of this hearing in a separate notice was sent by email to the claimant and by post to his representative. An interpreter was booked pursuant to the claimant's request.

5. The tribunal is satisfied this hearing would have come to attention of either the claimant or his representative, if not both. The respondent has been put to cost and expense in attending. It had been specifically arranged to accommodate the claimant's earlier difficulty in attending. In applying the overriding objective in rule 2, and the provisions of rule 47, it is in the interests of justice to dismiss this case.

Employment Judge D N Jones

Date 10 May 2019