



# THE EMPLOYMENT TRIBUNALS

Claimant

Ms Lakhbir Nahal -v- County Durham and Darlington Fire & Rescue Service (R1)

Respondents

Mr Joseph Astbury (R2)

Mr Graeme Lockhart (R3)

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

EMPLOYMENT JUDGE GARNON  
MADE AT NORTH SHIELDS

ON 6<sup>th</sup> March 2019

### JUDGMENT

Part of the claim, being claims of contravention of the Equality Act 2010 reliant of the protected characteristics of race and disability are dismissed on withdrawal. Claims reliant of the protected characteristic of sex and the claim of constructive unfair dismissal continue.

### REASONS

The Employment Tribunal Rules of Procedure include :

*51. Where a claimant informs the Tribunal, either in writing or in the course of a hearing, that a claim, or part of it, is withdrawn, the claim, or part, comes to an end,*

*52. Where a claim, or part of it, has been withdrawn under rule 51, the Tribunal shall issue a judgment dismissing it .. unless—*

*(a) the claimant has expressed at the time of withdrawal a wish to reserve the right to bring such a further claim and the Tribunal is satisfied that there would be legitimate reason for doing so; or*

*(b) the Tribunal believes that to issue such a judgment would not be in the interests of justice.*

The claimant withdrew part of her claim and there is no reason not to dismiss it

Employment Judge Garnon  
Date signed 6<sup>th</sup> March 2019