



EMPLOYMENT TRIBUNALS

Claimant: Mr A Flood

Respondent: Pennine Manufacturing Limited

Heard at: Manchester

On: 5 October 2020

Before: Employment Judge Feeney

REPRESENTATION:

Claimant: No Attendance

Respondent: Mr M Seddon

JUDGMENT

The judgment of the Tribunal is that the claimant's claims are struck out for (1) failing to comply with the orders of the tribunal of 24 February 2020 and (2) failure to actively pursue in accordance with Rule 37 Employment Tribunal Rules of Procedure 2013.

ORDER

Judge Feeney Orders that

1. The respondent provide full details of the costs incurred/time spent since the Preliminary Hearing on 24 February 2020 within 7 days of this Order is sent to the parties.
2. The claimant within 21 days of the date this Order is to provide representations in relation to the respondent's claim for a preparation time order in respect of their costs/time spent in defending the claimant's claim in particular the hearing on 24 February 2020 which could not go ahead and the hearing today when the claimant's claim was struck out.

Employment Judge Feeney

Date: 12 November 2020

JUDGMENT SENT TO THE PARTIES ON

13 November 2020

FOR THE TRIBUNAL OFFICE

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

(1) Any person who without reasonable excuse fails to comply with an Order to which section 7(4) of the Employment Tribunals Act 1996 applies shall be liable on summary conviction to a fine of £1,000.00.

(2) Under rule 6, if this Order is not complied with, the Tribunal may take such action as it considers just which may include (a) waiving or varying the requirement; (b) striking out the claim or the response, in whole or in part, in accordance with rule 37; (c) barring or restricting a party's participation in the proceedings; and/or (d) awarding costs in accordance with rule 74-84.

(3) You may apply under rule 29 for this Order to be varied, suspended or set aside.