



EMPLOYMENT TRIBUNALS

Claimant

Mr. K. Afzal

v

Respondent

**RGIS Inventory Specialists
Limited**

JUDGMENT

1. The claimant's claim is dismissed.

REASONS

1. By claim form dated 28 April 2021, the claimant brought claims of wrongful dismissal, race and religious discrimination and public interest disclosure detriment against his former employer the respondent. Pursuant to an order of Employment Judge Perry dated 14 July 2021 the claimant was requested to provide further and better particulars of his claim by 21 July 2021. The claimant failed to do so.
2. By letters dated 30 July 2021 and 6 October 2021 the respondent sought to strike out the claimant's claims on the basis that he had failed to comply with the order dated 14 July 2021.
3. A closed telephone preliminary hearing was listed today to deal with case management and directions generally. The claimant failed to attend. The Tribunal clerk contacted the claimant by telephone on two occasions, but the call went to voicemail both times.
4. The respondent applied for a dismissal of the claim pursuant to Rule 47 of the Employment Tribunal Rules in the circumstances that the claimant had failed to attend the hearing listed today; had failed to acknowledge any correspondence with the respondent about today's hearing (including the preliminary hearing bundle and agenda) and that he still failed to provide further and better particulars of the claim.
5. The Tribunal determined that it would be in the interests of justice and pursuant to the overriding objective to dismiss the claimant's claim on the basis that he failed to attend today's hearing pursuant to Rule 47 of the Tribunal Rules in the absence of any explanation. The Tribunal determined on the facts of this case that it would be a proportionate step. The context includes a failure to engage with the Tribunal's process; he had also failed to comply with Employment Judge Perry's order and had not responded to the

respondent's correspondence about today's hearing including the agenda and the bundle of documents.

6. In the circumstances the claim is dismissed.

Employment Judge Wedderspoon

20 October 2021

Note - Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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