



EMPLOYMENT TRIBUNALS

Claimant: Mr H Yarid

Respondent: Caffe Concerto Limited

Heard at: London Central (by cvp) **On:** 24 August 2022

Before: Employment Judge Emery

Appearances

For the claimant: Did not attend

For the respondent: Mr W Moores (solicitor)

JUDGMENT

The claim is struck out.

REASONS

1. This hearing was listed to determine whether some or all of the claims should be struck-out on the basis that they stand no reasonable prospects of success, or whether they should be struck out on the grounds that the claims are not being actively pursued by the claimant. The history is set out in Case Management Orders dated 12 January 2022 and 22 June 2022.
2. The claimant was represented at the 22 June 2022 hearing. On 26 July 2022 his solicitor came 'off the record' saying that they had not heard from the claimant and could not continuing acting. The claimant did not attend today's hearing.
3. Mr Moores stated that since the 26 July email from his former solicitor, he had written to the claimant twice, the first time on 9 August 2022, enclosing a copy of the tribunal's 22 June 2022 Order, and asking for the claimant's disclosure of relevant documents. He then provided to the claimant the bundle for this hearing on 18 August 2022. He used the claimant's email on the file Hedi.france@hotmail.com. This is the email on page one of his claim form.

4. Mr Moores argued that the claimant was not pursuing his claim. He also argued that there was no protected act (if his claim is one of discrimination), and no protected disclosure (if his claim is one of whistleblowing detriment). Mr Moores understanding is that the claimant remains abroad.

Conclusions

5. The claimant was given notice by the Tribunal in its 22 June 2022 Order and by emails from the respondent that his claim may be struck-out on the basis that he was not actively pursuing it.
6. The claimant has failed to make any arguments in writing, and has failed to attend the Hearings, and has failed to give reasons for failing to attend.
7. The claim is therefore struck out.

Employment Judge Emery
21/09/2022

JUDGMENT SENT TO THE PARTIES ON

.22/09/2022

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FOR THE TRIBUNAL OFFICE