



EMPLOYMENT TRIBUNALS

Case No: 1306458/2020

Claimant: MR MOHAMMED BUTT

Respondent: DEPARTMENT OF WORK AND PENSIONS

Heard at: Midlands West ET (attended) **On:** 10 July 2023

Before: Employment Judge Ali
Miss Fritz
Mrs Payne

Representation

Claimant: Non-attendance
Respondent: Mr Lyons (Counsel)

JUDGMENT AND ORDERS OF THE EMPLOYMENT TRIBUNAL

The Judgment and Orders of the Tribunal are:

1. By 7 August 2023 the Claimant shall write to the Tribunal and the Respondent to explain his failure to attend the final hearing of this case which was set to take place 10-14 July 2023.
2. If the Claimant writes to the Tribunal as set out at paragraph 1 above, this case should be listed for a 3 hour hearing before an Employment Judge sitting alone (with the parties to attend in person) to consider whether the claims should be struck out and to consider, if appropriate, any further case management orders (including the case management of any costs application).
3. If the Claimant fails to write to the Tribunal as set out in paragraph 1 above, his claims shall stand automatically struck out pursuant to Rule 37(c) and (d) contained in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure)

Regulations 2013 for not being actively pursued and for the failure to comply with Tribunal orders.

4. If the Claimant fails to write to the Tribunal as set out in paragraph 1 above, the Respondent may make a costs application (supported by a schedule of costs) and sent to the Claimant and the Tribunal, by 21 August 2023.
5. If an application for costs is made pursuant to paragraph 4 above, by 18 September 2023 the Claimant shall respond to any such application (setting out any objections to the costs application and setting out the Claimant's means to pay any costs award). This response should be sent to the Respondent and the Tribunal.
6. If an application for costs is made pursuant to paragraph 4 above, this case should be listed for a 1 day hearing before an Employment Judge sitting alone to consider such an application (with the parties to attend in person).
7. 14 days before any costs application hearing the Respondent is to provide the Claimant and the Tribunal with a short Bundle of relevant documents (agreed if possible) for use at the hearing.
8. Any future hearings in this case do not need to be reserved to this employment tribunal or Employment Judge Ali.

Employment Judge Ali
10 July 2023

Note

Written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

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.