



## EMPLOYMENT TRIBUNALS

BETWEEN

**Claimants**

C1 - Mr L Wiktor  
C2 – Mr M Kusz

and

**Respondent**

BFS Group Limited  
t/a Bidvest Logistics

**Preliminary Hearing held at Reading on:** 3 August 2017

**Appearances:**

**For the Claimants:**

C1 – Did not attend and not represented  
C2 – Mr A Berk, solicitor (Assisted by  
Ms A Pearson an interpreter in the  
Polish language)

**For the Respondent:**

Mr S Britton, solicitor

**Employment Judge:**

Mr SG Vowles

## JUDGMENT

C1 - Mr L Wiktor

1. Mr Wiktor failed to attend the hearing and was not represented. The Tribunal clerk was unable to contact him on the telephone number provided. On the application of the Respondent his claim was struck out on the following grounds under rule 37 of Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013:
  - 1.1 The manner in which he had conducted the proceedings was unreasonable;
  - 1.2 He had failed to comply with the Tribunal's case management order made on 4 April 2017; and
  - 1.3 He had failed to attend the hearing and his claim has not been actively pursued.

C2 - Mr M Kusz

2. During the course of the hearing Mr Kusz withdrew his claim and it was dismissed.
3. The Respondent confirmed that it will not pursue an application for a costs order against the Claimants.
4. The 5 day full merits hearing listed for 6-12 February 2018 is cancelled.
5. This brings the proceedings to an end.

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Employment Judge Vowles

Date: .....3 August... 2017

Sent to the parties on:

...18/08/2017.....

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For the Tribunals Office