



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr G Goda

**Respondent:** Izakaya Soho Limited

**Heard at:** London Central

**On:** 27 January 2020

**Before:** Employment Judge A James (sitting alone)

## Appearances

For the claimant: In person

For the respondent: Mr R Prais, solicitor

## JUDGMENT

On hearing the claimant in person and Mr Prais for the respondent, on considering the written submissions on behalf of the respondent, and the witness statement of Mr Sonny Huang, on hearing live evidence from Mr Huang, and further submissions from the parties, the judgment of the tribunal is as follows:

- (1) The Judgment of Employment Judge Goodman dated 19 August 2019 is set aside under rule 70 of the Employment Tribunal Rules of Procedure 2013 on the basis that the interests of justice require it. This is because I am satisfied on the balance of probabilities on the basis of what I have heard today that the respondent did not receive the Employment Tribunal claim form.
- (2) The respondent is given leave to submit a response to the employment tribunal claim form out of time, and to continue to defend the proceedings.

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**Employment Judge A James**

27 January 2020

Sent to the parties on:

28/1/20

For the Tribunal:

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Notes

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