



EMPLOYMENT TRIBUNALS

Claimant: Mr N Patel

Respondent: Mr D Tyer

RECORD OF A PRELIMINARY HEARING

Heard at: South London (by telephone)

On: 18 November 2020

Before: Employment Judge Kelly (sitting alone)

Appearances

For the claimant: No appearance

For the respondent: Mr Fenton, a solicitor

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The judgment of the Tribunal is that:

The Claimant's claims are dismissed on his non-attendance.

REASONS

1. The claimant has not attended this Hearing.
2. Mindful of rule 47, we have considered whether we should dismiss the claim or proceed in the absence of the claimant. We have also considered if we should adjourn the Hearing.
3. We noted that the claimant was reminded about this hearing on 15 October 2020 and that he responded to that reminder, and he was reminded about it again on 17 November 2020; and so was clearly aware of it. We called both numbers for the claimant at 11.00, at 11.15 and after 11.30 without any answer.
4. We consider that the claimant has acted unreasonably in failing to attend the Hearing, given his representative's information that he would do so and was briefed to do so. We consider it to be in line with the overriding objective, in terms

of dealing with issues in ways which are proportionate, avoiding delay and saving expense, to dismiss the claim.

Employment Judge Kelly

Signed on: 18 November 2020