



EMPLOYMENT TRIBUNALS

Claimant: Mr A Gyapong
Respondent: Code Investing Ltd (in voluntary liquidation)
Heard at: East London Hearing Centre (by telephone)
On: 25 January 2021
Before: Employment Judge Jones

Representation

Claimant: No attendance or representation
Respondent: No attendance or representation

JUDGMENT

The Claimant's claim is struck out because the Claimant failed to attend a hearing without explanation and has failed to pursue it.

REASONS

1. This was a remote hearing. The parties were advised beforehand that it would be a remote hearing. There was no objection to using that format. The hearing was to be conducted as a fully audio hearing, using BTMeetMe.
2. By Notice dated 19 October 2020, both parties were sent notice of the claim and notice of today's hearing date. They were notified that the final hearing in this matter would take place today at 2pm and that the Tribunal would contact them on the telephone number provided at the time listed for the hearing.
3. Also on 19 October, the Tribunal wrote to the Claimant to notify him that his claim appeared to have been presented late. The Tribunal would consider whether to extend time at the beginning of the hearing listed for today. The Claimant did not respond to that letter.
4. The Tribunal did not receive a response to the claim from the Respondent. A company search conducted on 5 January revealed that the Respondent was in liquidation.

5. At 2pm today, the Tribunal telephoned the Claimant to conduct the hearing. The Claimant declined to take the call. The Tribunal called again and the same thing happened.

6. The Tribunal's judgment is that the Claimant has abandoned his claim. He is not pursuing his claim. The Claimant has also failed to attend today's hearing without any explanation.

7. In the circumstances, it is this Tribunal's judgment that the Claimant has conducted his claim unreasonably by failing to accept the call from the Tribunal. In addition, the Claimant has failed to attend a court hearing and his claim is not being actively pursued.

8. Under Rule 37(10(b) and (d) of the Employment Tribunals (Constitution and Rules of Procedure 2013, the Tribunal's judgment is to strike out this claim in its entirety.

9. There will be no further hearings in this matter.

Employment Judge Jones
Date: 26 January 2021