



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr T Burrows

**Respondent:** Aspinalls Club Limited t/a Crown London Aspinalls

## JUDGMENT

The claim for discrimination arising from disability is struck out.

## REASONS

1. The claimant failed to comply with the orders made at the preliminary hearing on 30 September 2022, and set out in a case management order of the same date, to provide a disability impact statement together with any relevant medical documents to the respondent, by 25 November 2022.
2. By an email dated 13 February 2023, the tribunal ordered the claimant to provide these documents or to apply for a further extension of time by 23 February 2023 and warned the claimant that if he failed to reply by this deadline, consideration would be given to striking out the claim on the basis that it was not being actively pursued under rule 37(1)(d).
3. In reply to the order dated 13 February 2023, the claimant wrote to the tribunal on 23 February 2023 to request a further four weeks to submit his outstanding disability impact statement and relevant documents.
4. By an email dated 26 April 2023, the tribunal noted that the additional period sought by the claimant had elapsed and the documents remained outstanding, ordered the claimant to send the outstanding documents within the next 7 days, and warned the claimant that if he failed to comply with this order, absent a reasonable explanation for his ongoing non-compliance, the claim for discrimination arising from disability would be struck out on the grounds of non-compliance with an order of the tribunal and that the claim was not being actively pursuing a claim, under rules 37(1)(c) and (d), without further order.
5. No reply has been received by the tribunal from the claimant.
6. The claim for discrimination arising from disability is accordingly struck out.

**Case No: 2204497/2022**

7. The claimant's other claims for unfair dismissal and wrongful dismissal are not affected by this judgment and they shall proceed to a final hearing.

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**Employment Judge Khan**

**26.05.2023**

JUDGMENT SENT TO THE PARTIES ON

26/05/2023

FOR THE TRIBUNAL OFFICE