



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Z Ali  
**Respondent:** Nicholas Buckley

Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013:  
regulation 10A (2)

## JUDGMENT

The claimant's application dated **27th July 2023** for a revocation of the Legal Officer's decision, upon a fresh consideration of the judgment sent to the parties on **14th July 2023** is refused.

## REASONS

There is no reasonable prospect of the original decision being revoked, because :

Although there was an unfortunate delay before the dismissal judgement was issued, it followed on from an unequivocal withdrawal of the entirety of the claim by email dated 10<sup>th</sup> May 2023.

In that email, sent more than 3 months before the final hearing listed on 16<sup>th</sup> August 2023, the Claimant wrote:

"I don't want to go ahead with this hearing. I would like to close the case permanently."

Under rule 51 of the Employment Tribunal Rules the claim therefore came to an end with immediate effect as at the date of that withdrawal email, and neither the subsequently received Response sent on 24<sup>th</sup> May 2023 nor any further correspondence was in fact necessary.

Acknowledgment of the withdrawal was sent on 8<sup>th</sup> June 2023 and the listed hearing was cancelled.

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Under rule 52 the subsequent dismissal of a withdrawn claim is mandatory unless the Claimant had at the time expressed a wish to reserve the right to bring a further claim – which he did not do – or the issuing of a judgment would not be in the interests of justice.

There is no reason whatsoever to find that the issuing of a dismissal judgment in these circumstances was not in the interests of justice. The decision of the Legal Officer was therefore clearly correct.

Employment Judge **Lancaster**

Date 9<sup>th</sup> August 2023