

INDUSTRIAL TRIBUNAL

**COURT #1 SAFFREY SQUARE, EAST & BAY STREET, NEW PROVIDENCE,
COMMONWEALTH OF THE BAHAMAS**

Before

**MRS. INDIRA N. DEMERITTE-FRANCIS (PRESIDENT)
(SITTING ALONE)**

PATRICIA NEWMAN

APPLICANT

SPLENDID MARKETING

RESPONDENT

ORDER

APPEARANCES

For the Applicant

Mr. Hilbert Collie
Representative
Hilbert Collie & Associates
#83 Dowdswell Street
Nassau, The Bahamas

For the Respondent

Joshua Forbes
Splendid Marketing
Eastern Road
Nassau, The Bahamas

WHEREAS:

- (1) By Certificate of Referral dated April 15, 2019 the Minister referred the subject dispute to the Industrial Tribunal; and
- (2) In accordance with Rule 3 (1) of the Industrial Relations (Tribunal Procedure) Rules, 2010 a Notice for an Originating Application – Form A was sent on May 27, 2019 to the Applicant by the Secretary to the Tribunal; and
- (3) Upon receipt by the Applicant of the Notice for an Originating Application the Applicant filed an Originating Application in the Tribunal on June 19, 2019; and
- (4) A Notice of Application to the Respondent – Form C and a Notice of Appearance - Form D was sent to the Respondent on July 2, 2019; and
- (5) That a Notice of Appearance - Form D was filed on August 20, 2019 and no Defence – Form E was filed in the Tribunal by the Respondent; and
- (6) Pursuant to Rule 15(1) of the Industrial Relations (Tribunal Procedure) Rules 2010, the Industrial Tribunal set a fixture on February 3, 2020 for the Case Management Hearing for Directions; and
- (7) That Mr. Collie appeared for the Applicant and there was no appearance on behalf of the Respondent on the day of the Case Management; and
- (8) Mr. Collie requested an adjournment to allow him an opportunity to contact the Respondent; and

- (9) That the Tribunal has listed this matter for substituted service and it was set for Call Over on several occasions - March 25, 2021 and Notice for the said hearing was Gazetted in the Guardian Newspaper on the January 29, 2021; November 22, 2021 and Notice for the said hearing was Gazetted in the Guardian Newspaper on the October 28, 2021; and
- (10) That Mr. Collie appeared on November 22, 2021 to inform the Tribunal that he was unable to contact the Respondent; and
- (11) That Mr. Collie consequently informed the Tribunal that he wished to withdraw the Applicant's Originating Application filed June 19, 2019; and

THE DECISION OF THE TRIBUNAL IS AS AGREED AND THEREFORE IT IS SO ORDERED:

- (12) The Originating Application filed in the Industrial Tribunal on June 19, 2019 is decided accordingly pursuant to Rule 12(1)(a) of the Industrial Relations (Tribunal Procedures) Rule 2010 and is hereby Withdrawn and is Dismissed.

AND THIS IS THE DECISION OF THIS TRIBUNAL

DATED THIS, November 22, 2021

Indira N. Demeritte – Francis
President
Industrial Tribunal