



NCN: [2025] UKFTT 00695 (GRC)

Case Reference: FT/PEN/2025/0013

**First-tier Tribunal
(General Regulatory Chamber)
Pensions Regulation**

**Decided without a hearing
Heard on: on the papers in Chambers
Decision given on: 13 June 2025**

Before

TRIBUNAL JUDGE KIAI

Between

ROTIWALA LTD

and

THE PENSIONS REGULATOR

Appellant

Respondent

Decision: The proceedings are struck out under Rule 8(3)(b) and (c) of *The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009*.

REASONS

1. The Appellant, Rotiwala Ltd, lodged their appeal using the GRC1 form at the Tribunal on 19 December 2024. Their appeal was incomplete as they did not provide a copy of the decision they were seeking to challenge.
2. By Directions and Email issued on 16th January 2025, the Appellant was required to provide a copy of the decision they are seeking to challenge within 28 days. They did not comply.

3. By Directions and Email issued on 20th March 2025, the Appellant was again required to provide a copy of the decision they are seeking to challenge, by no later than 3rd April 2025. These directions specifically stated *“The Appellant is asked to note that failure to comply with the direction above could lead to the Tribunal striking out this appeal for failure to comply pursuant to Rule 8 (3)(a) of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 without further direction.*
4. Under Rule 8(3), the Tribunal may strike out a case where:
 - (a) the Appellant has failed to comply with a direction which stated that failure by the appellant to comply with the direction could lead to the striking out of the proceedings or part of them;
 - (b) the Appellant has failed to co-operate with the Tribunal to such an extent that the Tribunal cannot deal with the proceedings fairly and justly; or
 - (c) the Tribunal considers there is no reasonable prospect of the Appellant's case, or part of it, succeeding.
5. I find that the test under Rule 8(3)(a) is met: in that the Appellant has failed to comply with a direction which stated that failure to comply could lead to the striking out of the proceedings. The Appeal is struck out for this reason.
6. I further conclude that the test under Rule 8(3)(b) is met: in that the Appellant has failed to co-operate with the Tribunal (by failing to provide a copy of the decision notice) to such an extent that the Tribunal cannot deal with the proceedings fairly or justly. The Appeal is also struck out for this reason.
7. The overriding objective in Rule 2 of the *Procedure Rules* requires the Tribunal to deal with cases fairly and justly. For completeness, I add that I find it is fair and just to strike out the proceedings. The Appellant has now had almost 5 months to abide by this very simply direction. They have failed to do so. They have not provided any explanation for the failure and have not requested further time.

Signed

Gilda Kiai

Date:

13th June 2025