



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

AND

Respondent

Mr Z Nawaz

E.ON UK Plc

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD remotely by CVP for the parties, with the judge conducting the case from a hearing room open to the public in the tribunal offices in Birmingham

ON 10 October 2022

BEFORE EMPLOYMENT JUDGE Dimbylow

Representation

For the claimant: In person

For the respondent: Ms A Niaz-Dickinson, Counsel

JUDGMENT ON AN OPEN PRELIMINARY HEARING

Upon the claimant's application for interim relief

The judgment of the tribunal is that: the claimant's applications for interim relief pursuant to section 128 of the Employment Rights Act 1996 (ERA) and section 161 of the Trade Union and Labour Relations (Consolidation) Act 1992 (TULR(C)A) are not well-founded, fail and are dismissed. It did not appear to me that it is likely upon determining the complaints to which the applications relate the tribunal will find that the claimant has been unfairly dismissed for asserting the qualifying reasons relating to whistleblowing under section 103A ERA and/or relating to trade union activities under section 152 TULR(C)A.

Upon the respondent's application for costs

The judgment of the tribunal is that: I consider that: (1) the claimant acted unreasonably in conducting these proceedings by applying for an interim

relief order; and (2) and the applications for interim relief had no reasonable prospect of success. Furthermore, I consider it to be just, fair, and proportionate to make an order for costs; and I order the claimant to pay to the respondent costs assessed in the sum of £2,500.00.

A Closed Preliminary Hearing by telephone will take place at 10am on 24 October 2022 when appropriate orders will be made for the just disposal of the case and the dates for any hearings will be fixed.

Employment Judge Dimbylow
11 October 2022

Note:

- (1) Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision. Reasons were not requested by the parties when the judgment was delivered orally.
- (2) Public access to employment tribunal decisions. Judgements and reasons for the judgements are published in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant and respondent in a case.