



EMPLOYMENT TRIBUNALS

Claimant: Mr W Banaras

Respondent: Mr Tariq Ayub Khan trading as Maxivision Optical Centre

Heard: BY CVP **On: 9 December 2024**
Before: Employment Judge JM Wade

Appearances

For the claimant: In person
For the respondent: No attendance

RULE 21 JUDGMENT

- 1 The claimant is entitled to a statutory redundancy payment and the respondent shall pay to him the sum of £4000.
- 2 The claimant's claim for damages for breach of contract (notice pay) succeeds and the respondent shall pay to him the gross sum of £1750.
- 3 The respondent has made an unlawful deduction from the claimant's wages and shall pay him the sum of £250 (one week's gross wages).
- 4 The respondent has failed to pay the claimant holiday pay on the termination of his employment (Regulation 14) and shall pay to him the sum of £1250.
- 5 The total payable by the respondent is £7250.

REASONS

1. This file came before me today at a final hearing, there being no response to the claim from the named respondent – Maxivision Optical Centre.
2. There was sufficient information on the file to determine the claims, subject to the position of the respondent (sole trader), limited company or otherwise, being made clear.
3. I was told that the respondent had told the claimant he was a sole trader, and that the trading name was used on documents.
4. A legal officer had checked the position on company's house and could find no employer registered as a company at the respondent's operating address.

5. The claimant told me that while he described his claims in the narrative, he did not realise he should also have ticked the boxes – or words to that effect. For the reasons in my order to the extent permission to amend is required, I granted it – I was in fact clear that the claims were discernible in the claim form.
6. The sums awarded are those set out in the claim form save that the claimant had made an error of calculation which became apparent today.
7. In the absence of any response by the return date it is in the interests of justice in the round to give Judgment in accordance with Rule 21.

Employment Judge JM Wade

Date: 9 December 2024

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