



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4100739/2017

Employment Judge: Ian McPherson

Mr A H Mustafa

Claimant

Pledge Security Ltd

Respondents

JUDGMENT

Rules 73 and 21 of the Employment Tribunal Rules of Procedure 2013

Acting on my own initiative, under **Rule 73 of the Employment Tribunals Rules of Procedure 2013**, and it being in the interests of justice to do so, I hereby **revoke** the previous Rule 21 Judgment issued by me on 13 June 2017, entered in the register and copied to parties on 16 June 2017, where the respondents were then designed as **Sid Mehdi (Pledge Security Ltd)**.

Following receipt of the claimant's e-mail to the Tribunal on 4 September 2017, Employment Judge Garvie added Pledge Security Ltd as a respondent and ordered re-service of the claim upon them, with 28 days for them to present any response, if they sought to defend the claim.

Fresh Notice of Claim having been served on the respondents on 12 September 2017, requiring them to lodge any ET3 response by 10 October 2017, no response has been presented to this claim and an Employment Judge has decided to issue the following judgment on the available material under **Rule 21:**

1. The respondents have made an unauthorised deduction from the claimant's wages and they are ordered to pay the claimant the sum of £1,232.50 (**One Thousand, Two Hundred and Thirty Two Pounds, Fifty Pence**).
2. The respondents have failed to pay the claimant's holiday entitlement and they are ordered to pay the claimant the sum of £87 (**Eighty Seven Pounds**).

3. The Final Hearing listed for 23 November 2017 is cancelled.
4. The claimant paid a Tribunal fee of £160 (**One Hundred and Sixty Pounds**).
5. In **R (on the application of UNISON) v Lord Chancellor [2017] UKSC 51** the Supreme Court decided that it was unlawful for Her Majesty's Courts and Tribunals Service (HMCTS) to charge fees of this nature. HMCTS has undertaken to repay such fees.
6. In these circumstances, I shall draw to the attention of HMCTS that this is a case in which fees have been paid and are therefore to be refunded to the claimant. The details of the repayment scheme are a matter for HMCTS.

Employment Judge: Ian McPherson
Date of Judgment: 20 October 2017
Entered in registered: 27 October 2017
And copied to parties: