



# EMPLOYMENT TRIBUNALS

**Claimants:** (1) Mr Dava Chand  
(2) Mr Raju Ithappiri  
(3) Mr Gajpal Singh

**Respondent:** Spice Lounge Bar & Grill Limited

**HELD AT:** Manchester

**ON:** 6 December 2021

**BEFORE:** Judge Miller-Varey (sitting alone)

**REPRESENTATION:**

**Claimants:** Mr J Tinston

**Respondent:** Did not attend

## JUDGMENT

The judgment of the Tribunal is that:

1. In respect of the First Claimant's claim, the Respondent has:
  - (a) made unlawful deductions from the First Claimant's wages;
  - (b) failed to pay the claimant in respect of accrued but untaken holidays
  - (c) acted in breach of contract by dismissing the First Claimant without notice; and
  - (d) failed to provide a written statement of employment particulars to the First Claimant.
  
2. The Respondent is ordered to pay to the First Claimant the total net sum of **£4718.15**. This comprises unpaid wages (£2860 net), unpaid holiday on termination (£758.15 net), one week's unpaid notice (£220 net), together with £880 (being equal to four weeks' net pay) which the Tribunal considers is just and equitable in all the circumstances, pursuant to section 38(3)(b) of the Employment Act 2002.
  
3. In respect of the Second Claimant's claim, the Respondent has made unlawful deductions from the Second Claimant's wages. The Respondent is ordered to pay to the Second Claimant the net sum of **£4290** in respect of the amount unlawfully deducted

4. In respect of the Third Claimant's claim, the Respondent has made unlawful deductions from the Third Claimant's wages. The Respondent is ordered to pay to the Third Claimant the net sum of **£4290** in respect of the amount unlawfully deducted.

Tribunal Judge Miller-Varey  
acting as a Judge of the Employment Tribunal

Date: 6 December 2021

JUDGMENT SENT TO THE PARTIES ON

8 December 2021

FOR THE TRIBUNAL OFFICE

Notes

1. Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

3. Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case numbers: **2418492/2020, 2408493/2020, 2418494/2020**

Name of cases: **Mr D Chand** v **Spice Lounge Bar & Grill**  
**Mr R Ithappiri** **Ltd**  
**Mr G Singh**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 8 December 2021

"the calculation day" is: 9 December 2021

"the stipulated rate of interest" is: 8%

For the Employment Tribunal Office