



EMPLOYMENT TRIBUNALS

Claimant: Mr D Ghalpin
First Respondent: Nadeem Khalid
Second Respondent: N K Property Empire Limited

Heard at: Leeds by CVP **On:** 8 December 2021

Before: Employment Judge Tegerdine

Representation

Claimant: In person
First Respondent: Not represented
Second Respondent: Not represented

JUDGMENT

The judgment of the tribunal is that:

1. The claimant's claims for unauthorised deduction from wages and breach of contract against the first respondent are well founded.
2. The first respondent shall pay to the claimant the gross sum of £2,092.80 being the amount of the unauthorised deduction from wages properly payable to the claimant in respect of wages for the period between 1 October and 7 November 2020.
3. The first respondent shall pay to the claimant the gross sum of £409.84 being the amount of the unauthorised deduction from wages properly payable to the claimant in respect of 47 hours of accrued but untaken holiday pay owed to the claimant in respect of holiday accrued between 1 September and 7 November 2020.
4. The first respondent shall pay to the claimant the gross sum of £383.68 being an amount equivalent to one week's pay as damages for breach of contract, as the claimant resigned with immediate effect on 7 November 2020, in circumstances where he was entitled to resign in response to the first respondent's fundamental breach of contract and treat himself as having been dismissed.
5. The Tribunal awards £1,534.72 (four weeks' pay) to the claimant in respect of the first respondent's failure to provide the claimant with a written

statement of particulars of employment. This sum is payable to the claimant by the first respondent.

6. The claimant was employed by the first respondent and was not employed by the second respondent. The claimant's claims against the second respondent are therefore dismissed.
7. The total gross sum owed to the claimant by the first respondent is **£4,421.04**. The first respondent shall pay the sum due to the claimant on or before 22 December 2021.

Employment Judge Tegerdine

Date 10 December 2021

Judgment Sent to The Parties On

Date 15 December 2021

Notes

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.

Public access to employment tribunal decisions

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