



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs B Newbery

**Respondent:** Mr Michael Forfar

**Heard at:** Southampton

**On:** 31 March 2022

**Before:** Employment Judge Rayner

## **Representation**

Claimant: Did not attend

Respondent: Mr M Forfar

# JUDGMENT

## UPON

1. is the claimant applying for an extension of time under rule 20 employment tribunal constitution and rules of procedure regulations 2013 to file an 83 out of time;
2. the respondent applying to substitute London Road restaurants limited as the respondent
3. the respondent applying for reconsideration of the judgement issued against Michael Forfar on 28 May 20 21
4. and having read the claimant's responses sent in by email to the employment tribunal in response of these applications and
5. Mr full file confirming that he is a director of the company London Road restaurants limited and confirms that this company was at all material times the employer both the claimant and libel to her should she succeed in any of her claims

the following Judgement is made

1. The respondent's application for an extension of time to file an 83 out of time is granted.
2. The respondent's application for a reconsideration of the Judgement issued against Michael Forfar on 28 May 2021 is granted on the grounds that it is necessary in the interests of justice.
3. The Judgement of 28 May 2021 against Michael Forfar is

reconsidered and revoked.

4. The Respondent's application for substitution of London RD Restaurants LTD as the respondent and the removal of Michael Forfar as Respondent is granted.

## CASE MANAGEMENT ORDER

1. The claim form will be re-served on London RD Restaurants LTD. The Respondent company will have 28 days to respond to the claim.
2. This case will now be listed for a 2 hour final hearing to determine the claimants claims in respect of an unlawful deduction of wages; breach of contract and unpaid holiday pay.

Employment Judge Rayner  
Date 31 March 2022

Judgment sent to parties: 12 April 2022

FOR THE TRIBUNAL OFFICE

Note

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.