



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr N Wafash

**Respondent:** WM Morrison Supermarkets plc

## JUDGMENT

The following complaints are struck out:

- The claimant's complaint of direct race discrimination claim, that his dismissal on 6 May 2021 was less favourable treatment because of his race;
- The claimant's complaint of direct discrimination claim on grounds of religion or belief, that his dismissal on 6 May 2021 was less favourable treatment because of his religion or belief.

## REASONS

1. The claimant was ordered to pay a deposit of £20 following a preliminary hearing held on 24 March 2022 as a condition of being permitted to continue to advance the complaints recorded in the Judgment. The Order was sent to the claimant on 29 April 2022. The deposit was required to be paid not later than 28 days from the date of the order.
2. The claimant failed to pay the deposit within the time required, albeit he did pay the deposit on 8 June 2022. The complaints are therefore struck out under rule 39(4) of the Employment Tribunals Rules of Procedure 2013, the rules being clear that the complaints are to be struck out where a deposit is not paid by the date specified (irrespective of whether or not it is paid later).
3. The claimant's other complaints will proceed to hearing as previously listed.

Employment Judge Phil Allen  
13 June 2022

JUDGMENT SENT TO THE PARTIES ON  
13 June 2022

FOR THE TRIBUNAL OFFICE