



EMPLOYMENT TRIBUNALS

Claimant: Mr O Elmi
Respondent: Harshil and Nishant Modasia “trading as En Root Limited”
Heard at: London South by CVP.
On: 21 September 2022
Before: Employment Judge Truscott KC (sitting alone)

Appearances

For the claimant: No appearance or representation
For the respondent: Mr H Modasia

JUDGMENT

The claim is dismissed as there are no sums due to the claimant.

REASONS

1. The claimant makes a claim for holiday pay. The respondent denies that any holiday pay is due and set out a detailed response. The respondent also makes a counter claim. In addition, the claimant makes a claim in relation to a share certificate. This latter claim is not within the jurisdiction of the Tribunal.
2. The claimant was not in attendance at the hearing and did not provide any documentation to support his claim. The respondent did attend the hearing and had supplied a number of documents and also had Mr N Modasia available to give evidence as he is the company accountant.
3. The Tribunal concluded that the claimant had not established that there was any holiday pay due to him. The respondent was content not to proceed with its counterclaim.
4. In these circumstances, the claim falls to be dismissed.

Employment Judge Truscott KC
21 September 2022