



# EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**  
Mr A Maindola

AND

**Respondent**  
Tesco Stores Ltd

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL ON AN OPEN PRELIMINARY HEARING

**HELD AT** Birmingham      **ON**      4 January 2023

(This was a hearing dealt with remotely via CVP. We had the assistance of a Hindi interpreter being present throughout the hearing.)

**EMPLOYMENT JUDGE** Dimbylow

### Representation

**For the claimant:** In person

**For the respondent:** Miss K Hosking, Counsel

## JUDGMENT

1. The claimant failed to establish that he was a disabled person within the meaning of the Equality Act 2010 during the relevant period which ran from 1 March 2021 to 31 January 2022. Therefore, the tribunal has no jurisdiction to hear the claimant's claims for indirect disability discrimination and failure on the part of the respondent to make reasonable adjustments, and they are dismissed.
2. The claimant's application to amend his claim form is refused and is dismissed.

Signed by Employment Judge Dimbylow on 4 Jan. 2023

Notes:

- (1) Reasons for the judgement having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.
- (2) All judgments and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimant and respondent.
- (3) Further orders for the just disposal of the case were agreed at the end of the hearing, and these will be confirmed in a separate document.