



EMPLOYMENT TRIBUNALS

Claimant:

Mr M Chowdhury

v

Respondent:

Wembley Towers Limited

JUDGMENT

1. The claimant's complaint of unfair dismissal is struck out.
2. The claimant's complaints of i) disability discrimination and ii) unauthorised deduction from wages are unaffected by this judgment. These complaints will proceed and will be decided at the final hearing with the claimant's other complaints identified in the case management orders sent to the parties on 25 August 2023.

REASONS

1. The claimant was employed by the respondent for about one month. He was not employed for the two years required to bring a complaint of ordinary unfair dismissal.
2. The tribunal asked the claimant to confirm the basis for his unfair dismissal claim. The claimant said he wants to bring a complaint of automatic unfair dismissal. He said the reason for his dismissal was discriminatory dismissal.
3. The tribunal wrote to the claimant on 27 September 2023 to say that it was considering striking out the complaint of unfair dismissal, because the basis of that complaint had not been explained. Discriminatory dismissal is part of the complaint of disability discrimination but is not a separate claim for automatic unfair dismissal.
4. The claimant did not reply to the letter of 27 September 2023. The complaint of unfair dismissal is therefore struck out as having no reasonable prospect of success.
5. The claimant's other complaints, including the complaints of disability discrimination and unauthorised deduction from wages, will proceed and will be decided at the final hearing.

Employment Judge Hawksworth

Date: 28 November 2023

Sent to the parties on: 08/01/2024

For the Tribunal Office