



# EMPLOYMENT TRIBUNALS

**Claimant:**

Mr M Patil v

**Respondent:**

The Nutri Cosmetic Company Limited

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 (“Rules”) – Rule 21

The respondent having failed to file a response to the claimant’s claims within the required time limit, the Employment Judge decided that a determination can properly be made on the liability on the claim in accordance with rule 21 of the Rules. Consequently, the claimant’s claims under this claim number succeed and the remedy is to be determined at a Default Judgment Remedy Hearing.

## REASONS

1. The claim was served on the respondent at its registered address by post. The deadline to file its response was 31 January 2024.
2. The respondent does not have access to its registered address and only received the claim documents by e-mail on 23 February 2024.
3. There was a hearing today, and the respondent did not present an application to extend time to file a response.
4. During the course of the hearing, the respondent admitted that the claimant started work on 1 September 2023. It said that the claimant was suspended on an unpaid basis during September 2023 without pay. It concedes that some work was done by the claimant prior to his suspension, which has not been paid.
5. I am satisfied, on the concessions made in the hearing, that the respondent owes the claimant some pay for his short time working there.
6. It is appropriate to enter this default judgment in all the circumstances.
7. The claim was not quantified today. The claimant must send the basis for his calculation to the Tribunal ahead of the remedy hearing.

**Employment Judge Fredericks-Bowyer**

26 February 2024

Sent to the parties on:

11 March 2024

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For the Tribunal Office: