



EMPLOYMENT TRIBUNALS

Claimant: Mr T Machona
Respondent: The Strand Photography Gallery Ltd (in liquidation)

Heard at: London Central (by CVP)

On: 4/7/2024
Before: Employment Judge Mr J S Burns

Representation

Claimant: in person
Respondent: not represented.

JUDGMENT

1. The name of the Respondent is changed so it reads as above.
2. The Respondent must pay the Claimant £1086 by 18/7/24.

REASONS

1. The Claimant presented his claim against Alex Wilfred but it was accepted against Proud Cabaret Club, (PCC) this being the name of the prospective respondent on the ACAS certificate. The ET1 was served on PCC at 8 Victoria Embankment, but no ET3 was received.
2. On searching the internet I discovered that PCC appeared to be a trading name of Proud Group Ltd, which I then contacted. Mr Bilmes, legal officer of Proud Group Ltd responded, contending that (i) PCC had not received the ET1 and (ii) the relevant employer of the Claimant had been The Strand Photography Gallery Ltd (SPG) (which went into creditors voluntary liquidation in liquidation on 14/3/24).
3. Mr Bilmes provided a copy of a payslip for the period to 10/10/23 showing payment of salary to the Claimant by SPG. The Claimant agreed that all his pay-slips and wage payments came from SPG. He has not produced any evidence that Proud Group Ltd was his employer. I have therefore substituted SPG as the Respondent.
4. The claim can continue as no application to stay has been made. The liquidator has not had an opportunity to defend the claim but may if so advised within 14 days of the date this judgment is promulgated apply for a reconsideration of the above judgment if he wishes to contest the claim on SPG's behalf.
5. The Claimant gave evidence that he was underpaid wages by SPG to the extent of £721.50 for the period 11/10-10/11/23 and £364.50 for the period 10/11-12/10/23. Total £1086.

Employment Judge J S Burns
4/07/2024

For Secretary of the Tribunals
10 July 2024
Date sent to parties