



EMPLOYMENT TRIBUNALS

Claimants: (1) Mr S Abbasi
(2) Mr K Khawaja

Respondents: (1) MyLahore Birmingham Limited (First Claimant)
(2) AF Restaurants Limited (Second Claimant)

Heard at: East London Hearing Centre (via CVP)

On: 12 July 2024

Before: Employment Judge Reid

Representation
Claimants: Ms M Ahmed Legal Consultant, Osmans Solicitors
Respondents: Mr S Shepherd, Solicitor, Schofield Sweeney LLP

JUDGMENT

1. The First Claimant's and the Second Claimant's claims for automatic unfair dismissal under s103A Employment Rights Act 1996 are struck out under Rule 37(1)(a) Tribunal Rules 2013 on the basis that the claims have no reasonable prospect of success.
2. The First Claimant's claim for unpaid wages is struck out under Rule 37(1)(a) Tribunal Rules 2013 on the basis that the claim has no reasonable prospect of success.
3. The claims which continue for both Claimants are therefore (1) the ordinary unfair dismissal claims and (2) the detriment claims under s47B Employment Rights Act 1996 – see separate Orders.
4. The Respondents said that they may make a further strike out application (potentially in relation to time limit issues on the detriment claims) in the light of the Claimants' response to the Orders made at this hearing – see separate Orders.

Case Numbers: 3205774/2022 & 3200336/2023

**Employment Judge Reid
Dated: 15 July 2024**