



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Zohaab Ishrat  
**Respondent:** Asda Stores Limited  
**Heard at:** Liverpool (CVP)  
**On:** 14 August 2024  
**Before:** Employment Judge Horne

## Representatives

For the claimant: in person

For the respondent: Ms T Sandiford, counsel

## JUDGMENT

1. The respondent did not make an unauthorised deduction from the claimant's wages by failing to make a payment for untaken annual leave at the end of his holiday year.
2. The tribunal does not have jurisdiction to consider any claim for damages for allegedly breaching the claimant's contract by not carrying annual leave from one holiday year to the next.
3. The respondent made unauthorised deductions from the claimant's wages on the following occasions:
  - a. A deduction of £789.60 from his holiday pay on his March 2024 pay date,
  - b. A deduction of £14.70 from his holiday pay on his April 2024 pay date, and
  - c. A deduction of £552.72 from his wages to recover an interim payment.
4. Under section 25(2) of the Employment Rights Act 1996, the tribunal does not order the respondent to pay the deducted wages to the claimant, because they have been paid to the claimant.

5. The tribunal does not order the respondent to make any payment to the claimant for financial losses on the ground that the claimant indicated that he was not claiming for any such losses.

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Employment Judge Horne

14 August 2024

SENT TO THE PARTIES ON

19 August 2024

FOR THE TRIBUNAL OFFICE

### **Notes**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

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