



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Ali

**Respondents:** 1. Clearwater Solicitors Limited  
2. Mr Mohammed Mahrouf Yaqub  
3. Mr Shafaqat Ali Khan

**Heard at:** Liverpool (CVP)

**On:** 9 August 2024

**Before:** Employment Judge Horne

## **Representatives**

For the claimant: Mr A Ali, claimant's father

For the respondent: Ms S Younis, solicitor

## **JUDGMENT AT A PRELIMINARY HEARING**

1. The claimant had a disability within the meaning of section 6 of the Equality Act 2010.
2. The disability consisted of the effects of a physical impairment to the claimant's ankles.
3. The claimant had that disability from 6 January 2022 and ceased to have that disability in July 2022.
4. The claimant did not have a disability consisting of the physical impairment of "gastric and bowel problems".
5. The tribunal therefore dismisses the claimant's complaint of discrimination arising from disability.
6. For the same reason, the tribunal dismisses the claimant's complaint that the respondents discriminated against him by failing to make the adjustments of:
  - a. allowing him flexibility in his starting time;
  - b. allowing him to have a later start time and

- c. discounting disability-related lateness when assessing his conduct.
7. The effective date of termination of the claimant's employment (as defined in section 97 of the Employment Rights Act 1996) was 24 April 2023.
8. If, prior to March 2022, it was a term of the claimant's contract that his place of work was an office in Bolton, that term was varied in March 2022 to a term that his place of work was the office of Clearwater Solicitors Limited in Burnley.
9. The tribunal therefore dismisses the claim for damages for breach of the alleged term of the contract that his place of work was an office in Bolton.

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Employment Judge Horne

9 August 2024

SENT TO THE PARTIES ON  
15 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.

### **Public access to employment tribunal decisions**

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### **Recording and Transcription**

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<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>