



EMPLOYMENT TRIBUNALS

Claimant: Mr Muhammad Yusuf

Respondent: Asda Stores Limited

Heard at: Manchester Employment Tribunal

On: 5 February 2025

Before: Employment Judge Tobin

Representation

Claimant: In person

Respondent: Ms T Sandiford (counsel)

JUDGMENT

This has been a remote hearing which has been consented to by the parties. The form of remote hearing was by a video hearing through HMCTS Cloud Video Platform. A face-to-face hearing was not held because the relevant matters could be determined in a remote hearing.

The Judgment of the Employment Tribunal is that:

1. The claimant's application to amend his claim is rejected in respect of adding claims of religious and/or belief discrimination and for 3 further identified instances, i.e. paragraphs 2.2(a), 2.2(b) 2.2(e) of the draft list of issues prepared for the hearing herein. Save as for the claims of religious and/or belief discrimination (which were pleaded in the alternative) it was not necessary for the claimant to apply to amend his claims in respect of the proposed amendments at paragraphs 2.2(c), 2.2(d), 2.2(f)(i) and (ii) as the Employment Judge determined that these claims could be inferred from the Claim Form.
2. The claim of unfair dismissal, under s94 Employment Rights Act 1996, was presented outside the time limit contained in s111 Employment Rights Act 1996 and it was reasonably practicable for this claim to be presented within the appropriate time limit.

3. The claimant's claim in respect of an underpayment or non-payment of wages, pursuant to s13 Employment Rights Act 1996, was similarly presented outside the time limits contained in s23 Employment Rights Act 1996. It was also reasonably practicable for this claim to be presented within the appropriate time limit.
4. The claimant's various complaints of race discrimination and disability discrimination, under s13, s15 and s26 Equality Act 2010, were presented outside the time limit contained in s123 Equality Act 2010 and it is not just and equitable to allow these claims to proceed.
5. Consequently, the Employment Tribunal does not have jurisdiction to hear the complaints brought by the claimant on 13 October 2023. Proceedings are now dismissed.

Approved by Employment Judge Tobin

Dated: 5 February 2025

JUDGMENT SENT TO THE PARTIES ON

11 February 2025

FOR THE TRIBUNAL OFFICE