



**Claimant:** Alieu Ndow  
**Respondent:** Marks and Spencer plc  
**Heard at:** Cambridge Employment Tribunal (in private; by CVP)  
**On:** 25 February 2025  
**Before:** Employment Judge Hutchings (sitting alone)

**Appearances**

For the claimant: in person  
For the respondent: Ms N. Ahmed, paralegal

# JUDGMENT

The complaint that the claimant was unfairly dismissed is struck out.

## REASONS

1. The claimant complains of unfair dismissal.
2. Section 108 of the Employment Rights Act 1996 requires a claimant to have not less than two years service to make an unfair dismissal complaint.
3. The claimant was employed by the respondent for less than two years.
4. Therefore the claimant is not entitled to bring such a complaint.
5. The claimant has failed to give an acceptable reason, despite being given the opportunity to do so, why the complaint should not be struck out.
6. Accordingly, the complaint of unfair dismissal is struck out. The claimant's other complaints are not affected by this judgment.

Approved by:

Employment Judge Hutchings

Date: 25 February 2025

Case Number: 3303306/2024

Sent To the Parties On

12 March 2025

For The Tribunal Office