



EMPLOYMENT TRIBUNALS

Claimant: Mr Adeel Habib

Respondent: Currys Group Limited

Heard at: Southampton

On: 3rd – 7th March 2025

Before: Employment Judge David Hughes
Mr Peter English
Mr Mark Richardson

Representation

Claimant: In person

Respondent: Mr Shane Crawford, counsel

JUDGMENT ON APPLICATION FOR RECONSIDERATION

The judgment of the tribunal is that the Claimant's application for reconsideration is refused because there is no reasonable prospect of the decision being varied or revoked.

Reasons

History

1. The Claimant has applied for a reconsideration of the judgment dated 11.03.2025 and sent to the parties on 25.03.2025.
2. On 25.03.2025, the Claimant asked for written reasons, following the Tribunal's oral decision given on 07.03.2025. Written reasons were produced, dated 08.04.2025, and these were sent to the parties on 14.04.2025.
3. On 15.03.2025, the Claimant emailed the Tribunal, to ask about requesting reconsideration.

4. On 22.04.2025, the Respondent emailed the Tribunal, asking for a correction to be made to the written reasons under rule 67 of the Employment Tribunal Procedure Rules 2024¹ (“the Rules”). The Tribunal subsequently agreed to the correction, and corrected reasons were sent to the parties on 29.04.2025.
5. On 23.04.2025, the Claimant contacted the Tribunal, to ask (in substance) if the time period in which to seek reconsideration would run from the date of any corrected reasons. The Tribunal asked that for the parties’ views on the Claimant’s question, but observed that the Claimant may have a good case for inviting the Tribunal to extend the period pursuant to Rule 5(7). This was passed on to the parties on 29.04.2025.
6. On 27.04.2025, the Claimant emailed the Tribunal, asking for the decision to be reconsidered.
7. On 01.05.2025, the Respondent indicated its view that the time period in which to seek reconsideration of the judgment ran from the date of the original reasons, that the Claimant’s email of 27.04.2025 was within that time limit, but that it did not object to the granting of an extension of time, should that be necessary to enable the Claimant’s application to be considered.

Rules

8. The Rules provide for reconsideration of judgments. Rule 68 deals with the principles of reconsideration, and provides as follows:

68.— Principles

(1) The Tribunal may, either on its own initiative (which may reflect a request from the Employment Appeal Tribunal) or on the application of a party, reconsider any judgment where it is necessary in the interests of justice to do so.

(2) A judgment under reconsideration may be confirmed, varied or revoked.

(3) If the judgment under reconsideration is revoked the Tribunal may take the decision again. In doing so, the Tribunal is not required to come to the same conclusion.

¹ Employment Tribunal Procedure Rules 2024/1155

9. Rule 69 deals with the time period for requesting reconsideration. We find that the time line above shows the Claimant's request to have been made in time.

10. Rule 70 deals with the process for reconsideration, and reads as follows:

70.— Process for reconsideration

(1) The Tribunal must consider any application made under [rule 69](#) (application for reconsideration).

(2) If the Tribunal considers that there is no reasonable prospect of the judgment being varied or revoked (including, unless there are special reasons, where substantially the same application has already been made and refused), the application must be refused and the Tribunal must inform the parties of the refusal.

(3) If the application has not been refused under paragraph (2), the Tribunal must send a notice to the parties specifying the period by which any written representations in respect of the application must be received by the Tribunal, and seeking the views of the parties on whether the application can be determined without a hearing. The notice may also set out the Tribunal's provisional views on the application.

(4) If the application has not been refused under paragraph (2), the judgment must be reconsidered at a hearing unless the Tribunal considers, having regard to any written representations provided under paragraph (3), that a hearing is not necessary in the interests of justice.

(5) If the Tribunal determines the application without a hearing the parties must be given a reasonable opportunity to make further written representations in respect of the application.

11. The above process is mandatory – see T W White & Sons Ltd -v- White². We must consider whether there is any reasonable prospect of the judgment being varied or revoked, and if there is not, we must dismiss the application for reconsideration, before moving on to the steps provided for by Rule 70(3)-(5).

12. The question is therefore, is there any reasonable prospect of the judgment being varied or revoked?

The Claimant's application

Email of 14.04.2025

13. This email read as follows:

² UKEAT/0022/21/VP

I am writing this email in request to reconsider the decision made in the above case, please confirm if this email is sufficient enough for reconsideration or do I need to submit an application form?

Apologies for asking for the above query but there is no information available online which gives guidance on reconsideration and the cover letter sent as it only has information for the guidance on the appeal process and procedure.

I like to request the tribunal to get back to me at your earliest convenience

Email of 27.04.2025

14. This request attached documents in support of the application. These were:

(a) A document with “*vignettes*” – the term the Claimant uses – that he asked the Tribunal to consider;

(b) An email from the Claimant to the Tribunal dated 22.04.2025, saying that he had received 2 payments;

(c) An email dated 23.04.2025, from the Respondent’s solicitors, dealing with payment to the Claimant;

(d) 2 images of text messages concerning payment.

15. Items (b) to (d) above have no possible relevance to a request for reconsideration.

16. That leaves the document referred to in (a) above.

17. The document makes 10 numbered points.

18. Point 1 refers to the Respondent’s request for correction. It does not take any stance on that request, and offers no reason why the judgment should be varied or revoked.

19. Point 2 reads as follows:

The judgment issued on notice payment/ probation period and the payment received from the employer needs an investigation on company accounts the payment made, this is due to two identical payments received from two different employment names.

20. This does not offer any reason why the judgment should be varied or revoked.

It appears to go to payment in satisfaction of the judgment.

21. Point 3 reads as follows:

I made a request from the court to confirm about this payment as the respondent solicitors asked me to immediately make this payment back into their account (after I notify them "the following day" and to the tribunal) which does not match their account details provided as an employer but claimed to be the account holder of the identical payment.

22. This again does not offer any reason why the judgment should be varied or revoked. It appears to go to payment in satisfaction of the judgment.

23. Point 4 reads as follows:

I also made an enquiry from the Bank requesting the details of an identical transaction landed in my account upon which they refuse to co-operate, I have evidence which I am attaching with those reasons below, this resulted me to hold the payment with a believe that a thorough investigation need conducted on the company accounts before re payment.

24. This again does not offer any reason why the judgment should be varied or revoked. It appears to go to payment in satisfaction of the judgment.

25. Point 5 reads as follows:

Upon further investigating the payslip received from the employer dated 10-04-2025 and the statement received on it from the respondent tells a different story and if it is the case than I should have received another payslip for the identical transaction, this proofs that the retailer account does not belongs to curry's Group.

26. This does not offer any reason why the judgment should be varied or revoked.

27. Point 6 reads as follows:

It is admitted by the tribunal that the notice pay owe towards the termination of my employment was of 4 weeks which confirms it was applicable only after successfully passing the probation period and proves that the probation period was successfully passed and not applicable and as per the wording of the policy document of probation period, therefore I like to rely on the written reasons provided Vignette 3d, 50b not 50c due to additional material added in reasons provided by the tribunal written as (subject to statutory minimum notice)”; which was not define in the contract of my employment, paragraph 14, 15, 16 and 17 therefore I want the tribunal to consider the remarks previously made by Judge Midgley order Dated explaining if the probation period topic was not before the contract was signed than no matter how many time Ms Harriet Andrew said it was not applicable as per my contract.

28. This is not easy to understand. It is not clear what “Vignette 3d, 50b or 50c” are.

The numbered “vignettes” in the document do not go as far as 50, and number 3 has no sub-paragraphs, numbered or otherwise. But it seems that the “vignettes” to which the Claimant may be intending to refer are paragraphs of the Tribunal’s written reasons. In paragraph 3(d), we indicated that we upheld his claim insofar as it concerned notice pay. In paragraph 50(b) and (c), we referred to parts of his contract of employment (not discussed before us) providing for the Claimant’s place of work. There does not appear to be anything else to which the Claimant could be referring.

29. Although we have been able to identify what it is that the Claimant refers to with his reference to “vignettes”, that does not assist much in understanding in what way the Claimant says, in his Point 6, that the judgment should be varied or revoked, or why.

30. We found – contrary to the Respondent’s submissions – that the Claimant did not have a probationary period. It is not clear to what observations by Employment Judge Midgley – who heard a case management hearing on 03.12.2024 – the Claimant invites the Tribunal’s attention, and we repeat, on the question of whether or not there was a probation period, we accepted the Claimant’s position that there was not.

31. Point 6 offers no reason why the judgment should be varied or revoked.

32. Point 7 reads as follows:

The schedule of loss submitted in the folder dated 25 February 2025 page number 490 describes as respondent is a claimant and their start date of employment, losses resemble the same as claimant, this was identified to the panel of Judges prior to the decision day.

33. This does not offer any reason why the judgment should be varied or revoked.

34. Point 8 reads as follows:

Following vignette 63 and 64 I like to inform the tribunal that although the respondent misguided the tribunal by providing 2 weeks training schedule starting from 09/01/2023 there was no training provided to me on 08/01/2023 the date when my contract started in their records and I was only provided a week of training and instructed to perform the tasks of my other colleague due to she went on holidays for one month, this can be proved from the dates with the templates business account outlook.

35. It seems that, by “vignette 63 and 64”, the Claimant intends to refer to those paragraphs of the Tribunal’s reasons. As the Claimant appears to be asking us to reconsider our finding that the Respondent did not have a PSP of providing only 1 week’s training, a finding addressed in paragraphs 63 to 66, that would make sense. But we are not satisfied that the Claimant has identified anything that gives us any reason to believe there is a reasonable prospect of the judgment being varied or revoked.

36. Point 9 reads as follows:

Vignette 67 is the true finding of vignette 63 which confirms that the respondent did not provide any PCP of providing induction training of 1 week only.

37. As with previous points, we take “vignette 67” to mean paragraph 67 of the Tribunal’s reasons, which deals with findings re home working. If point 8 is intended as an invitation to us to reconsider our finding that the Respondent did not have a PCP of providing only 1 week’s training, point 9 appears to be an invitation to find the contrary.

38. Point 10 reads as follows:

Following vignette 3d towards the summary of reasons dated 14 April 2025 upon which the tribunal decided to uphold part of the claim I believe 3a

automatically applies on my claim from the date my employment got terminated with immediate effect and that I am not well anymore.

39. Taking “*vignette 3d*” to be paragraph 3(d) of the Tribunal's reasons – in which we summarised our finding on the breach of contract claim - Point 10 identifies no reason why the judgment should be varied or revoked.
40. Accordingly we refuse the application for reconsideration pursuant to Rule 72(1) because there is no reasonable prospect of the Judgment being varied or revoked.

Approved by

Employment Judge David Hughes

Date 21.05.2025

JUDGMENT AND REASONS SENT TO THE PARTIES ON
04 June 2025 By Mr J McCormick

FOR THE TRIBUNAL OFFICE