



EMPLOYMENT TRIBUNALS

Claimant: Faisal Ali

Respondents: (1) Barik Sikandari
(2) SSK Ventures Limited

Heard at: East London Hearing Centre

On: 28 January 2025

Before: Employment Judge Crosfill

Representation

Claimant: Mr Quasir Jan
Respondent: Mr Betchley of Counsel

JUDGMENT

1. The Claimant's claims of:
 - 1.1. unfair dismissal brought under Part V of the Employment Rights Act 1996; and
 - 1.2. unlawful deductions from wages brought under Part II of the Employment Rights Act 1996; and
 - 1.3. of wrongful dismissal brought under the Employment Tribunal Extension of Jurisdiction (England and Wales) Order 1994;are struck out pursuant to Rule 38 of the Employment Tribunal Procedure Rules 2024 because the Claimant has no reasonable prospects of showing either that it was not reasonably practicable to present his claims within three months or, if that were the case, that he presented the claims within a reasonable period thereafter and accordingly the claims were presented outside all relevant statutory time limits.
2. The Respondents' counterclaim was not pursued by the Respondents who accepted that if the Claimant was not an employee then the Tribunal had no jurisdiction to hear their claim and accordingly it is dismissed upon withdrawal.

3. The Respondents application for costs is dismissed.

Employment Judge Crosfill

Dated: 28 January 2025

Note

Reasons for the judgment above having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or 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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