



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss M Kasapis  
**Respondent:** 1. Baaj Capital LLP  
2. Reem Clothing Limited (in voluntary liquidation)

**Heard at:** Watford Employment Tribunal by CVP  
**On:** 29 September 2025  
**Before:** Employment Judge Alliott

## Representation

**Claimant:** In person  
**First Respondent :** Mr Declan O'Dempsey (counsel)  
**Second Respondent:** Did not attend

# JUDGMENT

1. At all material times between 8 September 2023 and 14 August 2024, the claimant was not employed by the first respondent (Baaj Capital LLP) or Mr Jaswinder Singh.
2. The claim against the first respondent (Baaj Capital LLP) is struck out as it has no reasonable prospect of success.
3. The claimant is ordered to pay the first respondent costs in the sum of £3,000.00
4. The second respondent has failed to pay the claimant's notice pay in breach of contract and the second respondent is ordered to pay her the net sum of £9,238.98 (with credit to be given for £1,057.69 paid by RPS).
5. The second respondent has made unauthorised deductions from the claimant's pay in relation to pension contributions and is ordered to pay her the sum of £128.70.

# REASONS

1. This public preliminary hearing was ordered by myself on 16 June 2025 to determine:
  - 1.1 Whether Baaj Capital LLP was the claimant's employer at any relevant time;

- 1.2 If possible, deal with any judgment.
2. In addition, the respondent has applied to remove Baaj Capital LLP as a respondent and the claimant has applied to amend her claim to add Mr Jaswinder Singh as a respondent. I previously directed that those applications would be dealt with at this hearing. The claimant presented her claim on 1 October 2024 naming Baaj Capital LLP as her employer. She was claiming a redundancy payment, notice pay, holiday pay and arrears of pay. The claimant did not have two years continuous service and so was ineligible for a redundancy payment.
3. In its response dated 21 May 2025, Baaj Capital LLP made clear that it was not the claimant's employer.
4. This claim was consolidated with the multiple claim 3314528/2023, Mr N Alexander and others v Reem Clothing Ltd (in voluntary liquidation), and Reem Clothing Ltd (in voluntary liquidation) was added as the second respondent to this claim.
5. At a preliminary hearing heard on 16 June 2025 in front of myself, the claimant indicated that she wished to continue her claim against Baaj Capital LLP and, consequently, this preliminary hearing was ordered.
6. On 19 December 2024 I gave judgment in the multiple claim as follows-
  - “1. At all material times between 8 September 2023 and 8 April 2024 the claimants were employed by Reem Clothing Ltd.
  2. The First Respondent, JDS59 Ltd, and the Second Respondent, Wigglebug Ltd trading t/a Chi Chi London, are removed from the claim as they have been wrongly included.”
7. Baaj Capital LLP had previously been dismissed from the multiple action.
8. Consequently, the claimant had, or should have had, access to the judgment which sets out clearly that her employer between 8 September 2023 and April 2024 was Reem Clothing Ltd.
9. The claimant was employed by Chi Chi Collection Ltd on 16 March 2023. The claimant accepts that her employer was Chi Chi Collection Ltd.
10. On 8 September 2023 the administrator of Chi Chi Collection Ltd entered into an asset sale with Reem Clothing Ltd. Reem Clothing Ltd was defined as the buyer and the agreement made clear that the employees set out in a schedule annexed to the agreement “TUPE” transferred to Reem Clothing Ltd on that date. The claimant is one of the employees in the schedule. The agreement was signed by Mr Jaswinder Singh as a director of Reem Clothing Ltd.
11. Reem Clothing Ltd endeavoured to suggest that the employees had been subsequently immediately “TUPE” transferred to JDS59 Ltd on 8 September 2023 but I rejected this argument (see my judgment in the multiple 3314528/2023).
12. The claim that the claimant seeks to advance is essentially summed up in one of her witness statements as follows:-

**“6. Substance of my claim**

My claim is based on the economic and operational reality of Baaj Capital LLPs control – not on technical contractual formalities. Baaj acted as my employer in all but name.”

13. The claimant points to the fact that Reem Clothing Ltd and Baaj Capital LLP have Mr Jaswinder Singh in common as a director. Further, she points to the fact that when her former bosses were dismissed in around January 2024, Mr Jaswinder Singh took over day-to-day control of Reem Clothing Ltd. The claimant points to Mr Jaswinder Singh making all the decisions and controlling the finance and, she asserts, he has a habit of taking companies into liquidation to avoid liabilities to employees amongst others.
14. Be that as it may, it is clear beyond doubt that the claimant was TUPE transferred to Reem Clothing Ltd alone and, pursuant to my judgment, was not TUPE transferred to JDS59 Ltd prior to April 2024. I express no judgment as to who the claimant’s employer was as of 13 August 2024 when the claimant was made redundant as she told me she has recovered money from the RPS on the basis that JDS59 Ltd was her employer, but, in my judgment, she was at no relevant time an employee of Baaj Capital LLP or Mr Jaswinder Singh. A limited company can only act through human beings whether they be directors or officers of the company and, in my judgment, Mr Jaswinder Singh was acting as a director when giving instructions.
15. In my judgment, this is not a case where the doctrine of piercing the corporate veil can be invoked. The legal obligations have only ever been those of Reem Clothing Ltd or possibly JDS59 Ltd.
16. Consequently, I have concluded that the claimant’s claim has no reasonable prospects of success against Baaj Capital LLP.
17. Further, I have concluded that the claimant has no reasonable prospects of succeeding against Mr Jaswinder Singh and, consequently, I refuse the application to join him as a respondent.

**Withdrawal**

18. The first respondent has endeavoured to advance an argument that on 11 July 2025 the claimant withdrew her claim against the first respondent.
19. On 11 July 2025 the claimant emailed the tribunal as follows:-

“Amendment request – change of respondent’s name from “Baaj Capital LLP” to “Mr Jaswinder Singh”.
20. The accompanying text states:

“I respectfully request permission to amend the name of the respondent in this matter from “Baaj Capital LLP” to “Mr Jaswinder Singh”.
21. It is the first respondent’s submission that by seeking to substitute Mr Jaswinder Singh it must mean that the claimant was intending to withdraw her claim against Baaj Capital LLP. In my judgment, making the application is not an unequivocal withdrawal of her claim. She could have withdrawn her application before a

determination or the application could have been refused, in which cases Baaj Capital LLP would remain as a respondent.

### **Costs application**

22. At the conclusion of the hearing the respondent made a costs application. This was based on not only the fact that I had found that there was no reasonable prospect of success but also alleging that the claimant's conduct of the proceedings has been unreasonable. I was shown numerous letters where the claimant has sought a settlement sum in the region of £17,000 and asserts that she would recover compensation for the loss of her job in circumstances where that claim could not be made.
23. I do not consider that forcefully seeking a settlement is unreasonable conduct of the litigation. However, it is notable that the claimant was threatening to obtain a costs order against the first respondent. As such, even though she is a litigant in person, she must have been aware of the concept of paying the other sides costs.
24. The respondent has sent a number of cost warning letters all based on the fact that the respondent was making clear that Baaj Capital LLP was not and never had been, the claimant's employer. At one stage the first respondent actually offered the claimant £1,500.
25. The claimant has clearly been in contact with the other claimants who have brought claims against Reem Clothing Ltd. I have taken into account that the claimant is a litigant in person and I have no doubt that she has a strong belief that Mr Jaswinder Singh operates through numerous limited companies and liquidates them to avoid liabilities.
26. However, in my judgment, it was clear to the claimant, or should have been, that Reem Clothing Ltd was her actual employer.
27. In my judgment, it was reasonable for the claimant to prosecute her case up to the case management hearing on 16 June 2025 but to have carried on thereafter, in my judgment, was unreasonable. As already stated, there was a judgment that the claimant's employer was Reem Clothing Ltd to at least 8 April 2024. The case was hopeless against Baaj Capital Ltd and doomed to failure. This was or should have been obvious to the claimant.
28. Having found the claimant's conduct in part to be unreasonable, I must consider whether to make a costs order. I decided to exercise my discretion in favour of making a costs order. The claimant had ample warnings that she had got it wrong and yet persisted unreasonably. I go on to consider the amount I should order.
29. Although one of the cost warning letters had advised the claimant to have evidence of her means available at this hearing, the claimant did not do so. I heard from the claimant as to her means. She told me she had £10,000 in savings. She told me that she had recently acquired a job at £55,000 gross and she estimated that her outgoings were approximately £2,500 - £3,000 per month. It is clear to me that the claimant has little disposable income available.

30. The respondent's application for costs was for two brief fees of £3,000 (16 June 2025) and £3,500 (29 September 2025) and solicitor's costs of £5,000. I have not been provided with a schedule of loss giving times, grade of fee earner or hourly rates.
31. I discount the brief fee for 16 June 2025 as it was reasonable for the claimant to run the case up until the preliminary hearing.
32. As far as today's brief fee is concerned, I consider £3,500 to be excessive for a one-day hearing and I would assess a brief fee of £1,750 as reasonable. As far as solicitors costs are concerned, it is unlikely that the preparation for today's hearing would have cost less than £2,500.
33. Consequently, doing the best I can, I would assess costs since 16 June 2025 in the sum of £4,250.
34. Mr O'Dempsey has been acting in part on behalf of Mr Jaswinder Singh and I make no order for costs in relation to the application to add him as a party to these proceedings. Consequently, I discount the amount payable by the claimant.
35. In my judgment, the fair, reasonable and proportionate amount to order the claimant to pay is in the sum of £3,000. That is net of VAT as I have assumed that the first respondent is registered for VAT.

Approved by:

Employment Judge Alliott

Date: 29 October 2025

JUDGMENT SENT TO THE PARTIES ON

.....30 October 2025.....

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FOR THE TRIBUNAL OFFICE

## Notes

All judgments (apart from judgments under Rule 51) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential

Practice Direction on the Recording and Transcription of Hearings and accompanying Guidance, which can be found here:

[www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/](http://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/)