



EMPLOYMENT TRIBUNALS

Claimant: Mr H Khatri

Respondent: Rathakrishnan Gopalakrishnan

Heard at: Birmingham (CVP) **On:** 17 March 2026

Before: Employment Judge Edmonds

Representation

Claimant: Miss E Bhangu, pupil

Respondent: Did not attend

JUDGMENT

Unauthorised Deductions from Wages

1. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period 21 October 2024 to 19 January 2025.
2. The respondent shall pay the claimant:
 - a. £6,917.18 gross in respect of work carried out but not paid for; and
 - b. £66.72 gross in respect of unpaid statutory sick pay.

The total amount payable by the respondent to the claimant is therefore **£6,983.90** gross and may be paid less any applicable deductions for tax and national insurance. In the event that the respondent does not make any applicable deductions, it will be for the claimant to pay any tax or National Insurance.

Holiday pay

3. The complaint in respect of holiday is well-founded. The respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended.
4. The respondent shall pay the claimant **£1,084.53** gross less any applicable deductions for tax and national insurance (calculated at a rate of 12.07% of the hours worked because the claimant was an irregular hours employee).

In the event that the respondent does not make any applicable deductions, it will be for the claimant to pay any tax or National Insurance.

Breach of Contract (Notice Pay)

5. The complaint of breach of contract in relation to notice pay is well-founded. The respondent shall pay the claimant **£795.08** as damages for breach of contract in respect of one week's notice pay. This figure has been calculated using gross pay and the respondent is entitled to make deductions for tax and national insurance. In the event that the respondent does not make any applicable deductions, it will be for the claimant to pay any tax or National Insurance.

Written Itemised Pay Statements

6. The respondent failed to give the claimant written itemised pay statements as required by section 8 Employment Rights Act 1996 in the period 21 October 2024 to 19 January 2025.
7. In accordance with section 12(4) of the Employment Rights Act 1996, the respondent made unnotified deductions totalling £297.34 from the pay of the claimant in the 13 weeks prior to presentation of the claim form. The respondent shall therefore pay the claimant **£297.34** in respect of those deductions. This shall be paid free from deductions for tax and national insurance.
8. For the avoidance of doubt, the sum set out above is separate to the sum awarded in respect of unauthorised deductions from wages and therefore the aggregate of the amounts ordered does not exceed the amount of the deduction, as required by section 26 Employment Rights Act 1996.

Failure to provided a written statement of employment particulars

9. When the proceedings were begun the respondent was in breach of its duty to provide the claimant with a written statement of employment particulars. There are no exceptional circumstances that make an award of an amount equal to two weeks' gross pay unjust or inequitable. It is just and equitable to make an award of an amount equal to four weeks' gross pay. In accordance with section 38 Employment Act 2002 the respondent shall therefore pay the claimant **£2,800**. This shall be paid free from deductions for tax and national insurance.

Working Time Regulations – Daily Rest, Weekly Rest and Rest Breaks

10. The complaint that between 21 October 2025 and 19 January 2025 the respondent refused to permit the claimant to exercise the right to daily rest, weekly rest and rest breaks under the Working Time Regulations 1998 is well-founded.
11. The respondent shall pay the claimant **£3,000**. This is the compensation the Tribunal considers just and equitable in all the circumstances under regulation 30(4). This shall be paid free from deductions for tax and national insurance.

Approved by:

Employment Judge Edmonds

17 March 2026

Notes

Summary reasons for the judgment having been given orally at the hearing, written summary 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.

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/