



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss R Bassi  
**Respondent:** Mastek (UK) Limited  
**Heard at:** Reading **On:** 25 March 2026  
**Before:** Employment Judge Gumbiti-Zimuto

## Representation

Claimant: In Person  
For the respondent: Mr B Mitchell, counsel  
Interpreter (Punjabi): Miss Malik

# REASONS

*[Reasons for judgment given at the preliminary hearing on 25 March 2026 provided at the request of the claimant.]*

1. In a claim form presented on 16 February 2024 the claimant made complaints of unfair dismissal, race discrimination, pregnancy or maternity discrimination and marriage or civil partnership discrimination. The respondent defends the claims.
2. The claim has been listed for a final hearing from 26 January 2027 to 4 February 2027. The preliminary hearing was listed to consider the respondent's application to strike out the complaints of pregnancy or maternity discrimination and marriage or civil partnership discrimination.
3. In section 8.2 of the claim form the claimant stated:

For over two years my tenure in the company was defined by dedication. However, the onset of harassment and bullying was gradual seeping into my daily work life. The comments from my manager which started as subtle remarks gradually escalated into a pattern of targeted behaviour which took a toll on my mental well-being. Despite my efforts to concern approaching higher management on several occasions my grievance was met with indifference. This lack of acknowledgement and support left me with no other option but to make the difficult decision to resign. During my job interview itself, it was agreed with the managers (Sidhartha Agarwal and Nayan Zad) that there will be flexibility in working hours considering my parental (sole, not shared) responsibilities. Even my broadband costs were agreed to be borne by Mastek. However, after few months, some of

the higher management, including HR started pressurising me to be in office for all working hours. This trend further escalated with arrival of Prerna as my manager.

4. The case was listed for a preliminary hearing on 15 August 2024. At that hearing E J Mensah made the following comments:

2. ...the Claimant struggled before me to explain how her claims for Pregnancy and maternity and marriage and civil partnership were brought or connected in any way to the complaints. The Claimant appeared to accept she did not have any of those protected characteristics.

3. The Claimant told me she was complaining she was treated differently as a single mother but could not explain this so I was able to understand it and so I have given the Claimant time to think about those claims. ...

The claimant provided some further information seeking to clarify her claim of pregnancy and maternity discrimination stating: *“My focus is specifically on maternity discrimination. As a single immigrant mother of two small children, with no family support in the UK, I was particularly vulnerable and dependent on the flexible working arrangements promised during my employment.”* In respect of the complaint about marriage or civil partnership the claimant state: *“My claim for discrimination on the grounds of marriage/civil partnership arises from the disparate treatment I experienced as a single mother, compared to my married or civil partner colleagues.”*

5. The respondent applied to strike out the claims about pregnancy or maternity discrimination and marriage or civil partnership discrimination.
6. The respondent provided a skeleton argument that I have considered. The claimant made submissions in essence repeating the points she makes as set out in paragraph 4 above.
7. During the course of the hearing I asked the respondent whether the claimant’s complaints could, without subjecting the respondent to any additional prejudice, properly be characterised as complaints of indirect sex discrimination and if so whether I should record such a claim as being in issue between the parties.
8. I decided that the claims of pregnancy or maternity discrimination and marriage or civil partnership discrimination should be struck out and in the absence of an application from the claimant seeking to amend the claim I did not take any further the question whether a claim for indirect sex discrimination is in issue. My reasons are as follows:
9. Marriage or civil partnership discrimination. At the relevant time the claimant was not married or in civil partnership. Section 8 of the Equality Act 2010 provides that: “(1) A person has the protected characteristic of marriage and civil partnership if the person is married or is a civil partner. In relation to the protected characteristic of marriage and civil partnership (a)

reference to a person who has a particular protected characteristic is a reference to a person who is married or is a civil partner; (b) a reference to persons who share a protected characteristic is a reference to persons who are married or are civil partners.” At the relevant time the claimant was not married or in a civil partnership. The claimant did not have the protected characteristic. The claimant’s complaints about marriage or civil partnership have no reasonable prospect of success.

10. In respect of the claimant’s complaint pregnancy or maternity discrimination. The claimant was not pregnant at the time.
11. Section 18 sets out the form that discrimination on grounds of pregnancy and maternity takes. Section 18 (2) states that: “A person (A) discriminates against a woman if, in or after the protected period in relation to a pregnancy of hers, A treats her unfavourably (a) because of the pregnancy, or (b) because of illness suffered by her in that protected period as a result of the pregnancy.
12. Section 18(3) provides that: “A person (A) discriminates against a woman if A treats her unfavourably because she is on compulsory maternity leave or on equivalent compulsory maternity leave.”
13. Section 18(4) provides that: “A person (A) discriminates against a woman if A treats her unfavourably because she is exercising or seeking to exercise, or has exercised or sought to exercise, the right to ordinary or additional maternity leave or a right to equivalent maternity leave.”
14. Section 18(6) provides that: “The protected period, in relation to a woman's pregnancy, begins when the pregnancy begins, and ends (a) if she has the right to ordinary and additional maternity leave, at the end of the additional maternity leave period or (if earlier) when she returns to work after the pregnancy; (aa) if she does not have that right, but has a right to equivalent maternity leave, at the end of that leave period, or (if earlier) when she returns to work after the pregnancy; (b) if she does not have a right as described in paragraph (a) or (aa), at the end of the period of 2 weeks beginning with the end of the pregnancy.”
15. At the relevant time none of the above provisions relating to pregnancy or maternity applied to the claimant. The claimant at the relevant time did not have the relevant protected characteristic. The claimant’s complaint about pregnancy or maternity has no reasonable prospect of success.
16. I rejected the idea of redrafting the claimant’s claim so that it reads as a complaint of sex discrimination. My reasons for doing so are that (i) the claimant had not made any application to amend the claim; (ii) based on the way that the claimant has put her case the indirect sex discrimination complaint cannot be made out because it is not the claimant’s case that any putative provision criterion or practices applies, or would apply, to persons with whom the claimant does not share the characteristic of her sex. Her complaint appears to be that she was singled out; (iii) this claim was presented 16 February 2024 and relates to matters going back to 2023,

redrafting the claim in the way suggested would mean that 2 years after the claim was presented the case that the respondent has to meet is changed necessitating a new set of facts to defend the claim.

17. The claimant's complaints of discrimination pregnancy or maternity and marriage or civil partnership have no reasonable prospect of success and are dismissed.

Approved by:  
**Employment Judge Gumbiti-Zimuto**

**25 March 2026**

SENT TO THE PARTIES ON

7 May 2026

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/)