



EMPLOYMENT TRIBUNALS

Claimant

D J Vedprakash Jain

v

Respondent

Avenir Group Limited

Heard at: Reading (in public; by video)
Before: Employment Judge W Anderson

On: 21 May 2026

Appearances

For the claimant: C Reid (counsel)

For the respondent: S Kondapurreddy (respondent director)

JUDGMENT

1. The claim of unpaid wages and holiday pay was not presented within the applicable time limit. It was reasonably practicable to do so. The claim is therefore dismissed.
2. The claimant's claim for a redundancy payment continues.

REASONS

Background

1. The claimant was employed by the respondent from 2 August 2022 until 10 November 2024. He brings a claim for unpaid wages and failure to pay holiday pay.
2. I had before me a bundle of 146 pages prepared by the claimant. This included a witness statement from the claimant. I did not hear evidence on oath. Ms Reid made submissions. Mr Kondapurreddy said he did not wish to comment on the application.
3. The claimant sets out in his witness statement that he accepts that the claim was filed ten days late. He relies on the last date of employment, 10 November 2024, as being the relevant date for calculation of time limits in relation to his wages claim. He claims unpaid wages for July to October 2024, a separate underpayment of wages of £6874 and 18 days holiday pay.

4. The relevant law is to be found at s23 Employment Rights Act 1996:

23.— Complaints to employment tribunals .

(1) A worker may present a complaint to an [employment tribunal]² —

(a) that his employer has made a deduction from his wages in contravention of section 13 (including a deduction made in contravention of that section as it applies by virtue of section 18(2)),

...

(2) Subject to subsection (4), an [employment tribunal]² shall not consider a complaint under this section unless it is presented before the end of the period of three months beginning with—

(a) in the case of a complaint relating to a deduction by the employer, the date of payment of the wages from which the deduction was made, or

...

(3) Where a complaint is brought under this section in respect of—

(a) a series of deductions or payments, or

...

the references in subsection (2) to the deduction or payment are to the last deduction or payment in the series or to the last of the payments so received.

(3A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (2).

(4) Where the employment tribunal is satisfied that it was not reasonably practicable for a complaint under this section to be presented before the end of the relevant period of three months, the tribunal may consider the complaint if it is presented within such further period as the tribunal considers reasonable.

5. Where 10 November 2024 is the relevant date from which to calculate time, and early conciliation took place from 6 February 2025 to 20 March 2025, the claim should have been filed by 20 April 2025. It was filed on 29 April 2025.
6. Ms Reid, for the claimant, said that he had relied on the promises of the respondent that he would receive the money he was due for many months. The respondent had been stringing him along. The respondent kept asking for more time to make the payments. To this day he has not received a penny of what he is owed. The claim is only nine or ten days late. The respondent has acted disingenuously in responding to the claim as if the last date of employment was 6 September 2024.
7. In response to my question as to why, after early conciliation had been completed and the claimant still had over four weeks to file the claim in time, he did not do so, Ms Reid said that the claimant was acting in person. He had no lawyer or trade union representative to assist him, and he was confused about the deadline.
8. Unlike a decision to extend time in a discrimination case, the tribunal has no discretion when considering time matters in relation to a wages claim. It must simply consider whether it was reasonably practicable for the claimant to file in time. Many litigants in person bring claims before the tribunal and file the claims in time. Being without representation is not, without more, a reason why filing in time is not reasonably practicable. No other explanation was provided as to why the claimant, having decided to file a claim and apprised himself of the knowledge that he needed to engage in early conciliation, could not have also checked what the filing deadline was and filed his claim before

that deadline. It is my view, having heard nothing to the contrary, that it was reasonably practicable for the claim to have been filed by 20 April 2025.

Approved by:

Employment Judge W Anderson

Date: 21 May 2026

Sent to the parties on: 16 June 2026

For the Tribunal Office