



# EMPLOYMENT TRIBUNALS

**Claimant:** Michael Bennett

**Respondent:** Total Home Delivery Limited

## JUDGMENT

1. The reconsideration application of 28 July 2026 is allowed. The judgment of 17 July 2026 is revoked.
2. The claim for unauthorised deductions from wages (Employment Rights Act 1996 section 13) is well founded. The respondent must pay to the claimant within 14 days:
  - a. Unpaid wages: £2050.62
  - b. Holiday pay £1221.80
3. The claim for breach of contract for the claimant's notice pay is well founded (Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994). The claimant's statutory notice period was 10 weeks. The claimant was not paid for their notice period. The respondent must pay to the claimant within 14 days: £5571.30 (net)
4. The claim for a redundancy payment (Employment Rights Act 1996 section 135) is well founded. The respondent must pay to the claimant within 14 days a redundancy payment of £10,196.70, calculated in accordance with Employment Rights Act 1996 section 162.

## REASONS

1. The claim was struck out by judgment of 17 July 2026. The claimant applied for reconsideration on 28 July 2026 pursuant to rule 69 of the Employment Tribunal Rules 2026. The judgment striking out the claim was on the grounds that the claimant had failed to comply with case

management and did not actively pursue the claim. That was a false premise. The claimant had sought to comply with the case management orders but had included the wrong case number and the correspondence did not come to the Tribunal's attention until after judgment was made. It is in the interests of justice to reconsider the judgment without the hearing pursuant to rule 70 as it is clear that the judgment must be revoked as there were no valid grounds to strike out the claim.

5. The claim form was sent to the respondent in accordance with rule 16 of the Employment Tribunal Rules 2024. If it was not sent to the respondent's registered address, it was sent to an appropriate address.
6. The respondent did not present a response to the claim. The claimant provided further information by correspondence to the Tribunal, upon which a determination could properly be made of the claims set out above pursuant to rule 22 of the Employment Tribunal Rules 2024.
7. Case management orders have been made separately about the claimant's other claims.

**Approved by:**

**Employment Judge Gordon Walker**

Date 15 September 2026

JUDGMENT SENT TO THE PARTIES ON

.....1 October 2026..

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FOR THE TRIBUNAL OFFICE

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