



# THE EMPLOYMENT TRIBUNAL

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**SITTING AT:** LONDON SOUTH

**BEFORE:** EMPLOYMENT JUDGE MJ DOWNS (sitting alone)

**BETWEEN:**

**Claimant**

**Mr Shiv Kumar**

**AND**

**Respondent**

**Sunny and Jay's Kitchen Hospitality Services Ltd**

**ON:** 21<sup>st</sup> February 2019

**APPEARANCES:**

**For the Claimant:** Did not appear

**For the Respondent:** Mr Sanush Kollamthodi

## **JUDGMENT**

UPON this matter having been listed for hearing today by way of a notice sent out on 6<sup>th</sup> December 2018

AND UPON the Claimant not being present for the listed hearing and the Tribunal contacting the Claimant by telephone and the Claimant informing the Tribunal that he had had been taken ill a month ago but no application for a postponement having been made and no medical evidence being provided to the Tribunal

AND UPON the Tribunal considering the Claim Form

AND UPON the Tribunal giving permission to the Respondent to call Mr Kollamthodi as a witness and present their written material showing the terms of the Claimant's employment, his rate of pay and when and how much he was paid

AND UPON the Tribunal determining that the Claimant worked for three weeks with two shifts and was paid for the same

The judgment of the Tribunal is that:-

The Claim for unpaid wages is not well founded

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Employment Judge MJ Downs

Dated 21<sup>st</sup> February 2019

**Note**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request is presented in writing by either party within 14 days of the sending of this Judgment.