



IN THE EMPLOYMENT TRIBUNAL (SCOTLAND) AT EDINBURGH

5

Judgment of the Tribunal in Case No: 4109320/2021 Issued in terms of Rule 21(2) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, Following an On Paper Consideration and Determination Held at Edinburgh on the 12<sup>th</sup> of May 2023

10

Employment Judge J G d'Inverno

15

Mr N Juhoor

Claimant  
Represented by:

20

Albany Street Developments Limited  
(In Liquidation)

First Respondent  
(In Liquidation)

25

30

C Smith Capital (In Liquidation)

Second Respondent  
(In Liquidation)

35

40

**JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

The Employment Tribunal having received a statement from the Joint Liquidators of the respondent that no part of the claim is contested, in terms of Rule of Procedure 21(1); and upon consideration of the available material being satisfied that a Determination can properly be made of the claim, the Judgment of the Employment Tribunal is:

**(First)** The claimant was unfairly dismissed.

**(Second)** The respondent has made an unauthorised deduction from the claimant's wages and is Ordered to pay the claimant the sum of £47,689.15 (FORTY SEVEN THOUSAND SIX HUNDRED AND EIGHTY NINE POUNDS AND FIFTEEN PENCE), subject to National Insurance and Income Tax.

**(Third)** The respondent breached the claimant's Contract of Employment and is Ordered to pay the claimant the sum of £22,214.66 (TWENTY-TWO THOUSAND TWO HUNDRED AND FOURTEEN POUNDS AND SIXTY-SIX PENCE).

**(Fourth)** Compensation in respect of unfair dismissal should be paid by the respondent to the claimant in the following amounts:

(a) A basic award in the sum of £3,264.00 (THREE THOUSAND TWO HUNDRED AND SIXTY FOUR POUNDS);

(b) A compensatory award in the sum of £89,793.00 (EIGHTY NINE THOUSAND SEVEN HUNDRED AND NINETY THREE POUNDS) comprising a compensatory award of:

- (i) £450.00 for loss of statutory rights;
- (H) £74,793.00 for past loss of earnings; and
- (Hi) £14,500 for future loss of earnings.

(c) The sum of £47,689.15, in respect of the unlawful deductions from the claimant's wages comprising:

- 5 (i) £11,062.50 in respect of accrued but untaken annual leave as at the termination date;
- (ii) £30,251.65 in respect of unlawful deductions to the claimant's contractual pay between 21 April 2020 to January 2021; and
- 10 (iii) £6,375 in respect of the unlawful deduction of the claimant's car allowance.

(d) The sum of £22,214.66 (TWENTY TWO THOUSAND TWO HUNDRED AND FOURTEEN POUNDS AND SIXTY SIX PENCE) for breach of the claimant's Contract of Employment comprising:

15

- (i) a payment of £13,000 for unpaid pension contributions; and
- 20 (ii) a payment of £9,214.66 for 7 weeks' payment in lieu of the claimant's notice period.

25 **Employment Judge: J d'Inverno**  
**Date of Judgment: 12 May 2023**  
**Entered in register: 16 May 2023**  
**and copied to parties**

30

**I confirm that this is my Judgment in the case of Juhor v Albany Street Developments Limited (In Liquidation) and others and that I have signed the Judgment by electronic signature.**