



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant
Eraun Chahal

AND

Respondent
Virgin Media Limited

JUDGMENT ON A PUBLIC PRELIMINARY HEARING

HELD AT Birmingham (remotely, via CVP) **ON** 14 May 2024

EMPLOYMENT JUDGE Dimbylow

Representation

For the claimant: In person

For the respondent: Ms Victoria Othen, Solicitor

JUDGMENT

1. The claimant's claim for constructive unfair dismissal contrary to s.95 of the Employment Rights Act 1996 was presented out of time. The claimant has failed to demonstrate that it was not reasonably practicable for the claimant to have presented it in time. Therefore, I do not extend the time for presentation of the claim, the tribunal has no jurisdiction to hear this claim and it is dismissed.

2. The claimant's claim for harassment contrary to s.26 of the Equality Act 2010 was presented out of time. It was not part of a continuing act to bring it in time. The claimant has failed to demonstrate that it would be just and equitable to extend the time. Therefore, I do not extend the time for presentation of the claim, the tribunal has no jurisdiction to hear this claim and it is dismissed.

14 May 2024

Employment Judge Dimbylow

Notes:

- (1) Reasons for the judgement having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.
- (2) All judgments 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 claimant and respondent.
- (3) **Recording and Transcription**
- (4) Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. 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:
- (5) <https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>