



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant: Ms Samantha Sewraj
(as the personal representative of Mrs Soobawtee Sewraj)

Respondent: Mark and Spencer Plc

Heard at: in public at London Central Employment Tribunal

On: 1, 2, 3 October 2024

Before: Employment Judge Adkin
Mr D Schofield
Ms Y Batchelor

Appearances

For the claimant: Mr M Lansman, Counsel
For the respondent: Mr H Dohrajiwala, Counsel

JUDGMENT

1. The following complaints are well-founded and will proceed to a remedy hearing:
 - 1.1. claim of unfavourable treatment because of something arising from disability pursuant to section 15 of the Equality Act 2010;
 - 1.2. claim of failure to make reasonable adjustments pursuant to section 20-21 of the Equality Act 2010.
2. The following complaints are dismissed:
 - 2.1. The claim of unfair dismissal pursuant to the Employment Rights Act 1996 was brought out of time and the Tribunal did not extend time;

2.2. the claim of indirect disability discrimination brought under section 19 the Equality Act was not well-founded.

Employment Judge Adkin

Date 3 October 2024

JUDGMENT SENT TO THE PARTIES ON

16 October 2024

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FOR THE TRIBUNAL OFFICE