



EMPLOYMENT TRIBUNALS

Claimant

Mr Zeeshan Khokhar

v

Respondent

Mr Waseem Mohammed T/A
Daily Fresh Dairies

JUDGMENT FOLLOWING PRELIMINARY HEARING BY TELEPHONE

r.21 Tribunal Rules of Procedure 2013

Heard at: Birmingham
(Remote Hearing)

On: 20 July 2021

Before: Employment Judge Lloyd

Appearances

For the Claimant: In person (with his wife Mrs A Z Khokhar)

For the Respondent: No response presented; no attendance

JUDGMENT

1. No response has been presented and there has been no attendance or appearance by the respondent.
2. On the basis of the evidence and information placed before me, I enter a default judgment pursuant to rule 21 of the tribunal rules in relation to the claimant's claim of direct discrimination and harassment because of the protected characteristic of sexual orientation; under s.13 and s.26 Equality Act 2010 ("EqA"). The claimant has proven his claims under those provisions.
3. The principles of the judgment of English v Thomas Sanderson Blinds [2008] EWCA Civ 1421 CA apply.
4. The claimant's claims of sex discrimination under s.13 and s.26 EqA and of unpaid wages are withdrawn. The claimant's claim of unfair dismissal has been dismissed by the tribunal.

5. The claimant is entitled to recover compensation. I list a remedy hearing for **Thursday 2 September 2021 at 10.00am by CVP**. The hearing will be before an Employment Judge sitting alone. The respondent is entitled to notice of the hearing and the tribunal's decision but will only be allowed to participate in any further hearing to the extent permitted by the Employment Judge, pursuant to rule 21(3).

Direction: Schedule of Loss

6. The claimant shall produce to the tribunal and to the respondent a schedule of loss **by Friday 27 August 2021**. If the claimant seeks compensation for injury to feelings the schedule shall quantify the compensation by reference to the band of awards, in Vento v West Yorkshire Police [2003] IRLR 102 CA as subsequently amended: most recently on 6 April 2020 and 6 April 2021. The claimant shall quantify all alleged loss of earnings (if any) and account for all other earnings and statutory benefits received by him.

Employment Judge B Lloyd
21 July 2021