



# EMPLOYMENT TRIBUNALS

**Claimant:**  
Mr R Kumar v

**Respondent:**  
John Lewis Plc

**Heard at:** London South (via CVP)

**On:** 15, 16 & 17 February 2023

**Before:** Employment Judge Fredericks

## Appearances

For the claimant: Ms S Forsyth (Lay Representative)

For the respondent: Ms G Nicholls (Counsel)

## JUDGMENT

1. The claimant was unfairly dismissed by the respondent with effect from 27 July 2021.
2. The claimant was also wrongfully dismissed and the respondent should pay him 12 weeks' notice pay as compensation under this separate head of claim.
3. The claimant is entitled to a basic and compensatory award\*.
4. The claimant's compensatory award is reduced by 25% to reflect culpable conduct contributing to his dismissal and the application he made during the hearing for this finding to be reconsidered is refused.
5. The period from which the compensation period runs begins from 19 October 2021 and ends three months after he began his current stint of employment with his new employer.
6. No adjustment of the compensatory award should be made to reflect the period of unemployment from the end of February 2022 to the date in June 2022 after resignation of the first stint of employment with his new employer.
7. \*NB – a judgment on remedy will follow this judgment once all of the relevant figures are provided or agreed.

**Case Number: 2305660/2021**

**Employment Judge Fredericks**  
17 February 2023