



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr R Cuga  
Mr D Peters

**Respondent:** Topwood Ltd (1)  
Delivery Solutions (Delsol) Ltd (2)

**Heard by:** CVP link **On: 25<sup>th</sup> November 2021**

**Before:** Employment Judge A Frazer

**Representation:**

Claimant:  
Ms Zablocka  
(representative  
and translator)

Respondent 1:  
Mr L Bronze  
(Counsel)

Respondent 2:  
Ms J Whiteley  
(Solicitor)

## JUDGMENT

1. Mr Cuga's claim against the First Respondent and Mr Peters' claim against the First and Second Respondent under Regulation 4(9) of the TUPE Regulations 2006 are dismissed under Rule 37 of the Employment Tribunal Rules of Procedure 2013.
2. Mr Cuga's claim against the First Respondent and Mr Peters' claim against the First and Second Respondent under Regulation 13 TUPE Regulations 2006 shall proceed to a final hearing.

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Employment Judge A Frazer  
Dated: 25<sup>th</sup> November 2021

SENT TO THE PARTIES ON 30 November 2021

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FOR THE SECRETARY OF EMPLOYMENT  
TRIBUNALS Mr N Roche