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EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: S/4107424/2018

Held in Glasgow on 13 November 2018

Employment Judge: Ian McPherson

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Mr Scott Sutherland

**Claimant
In Person**

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W H Malcolm Ltd

**Respondent
Represented by:-
**Mr Graham Mitchell -
Solicitor****

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

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- (1) Upon hearing the claimant in person, and the respondents' solicitor, in Case Management Preliminary Hearing, the claimant's complaints against these respondents, alleging unfair dismissal, and failure to pay holiday pay, as also his complaint that there was an unlawful deduction from wages in respect of training costs deducted from his final wages, all having been withdrawn orally by the claimant at this Hearing, those parts of his claim against these respondents are dismissed by the Tribunal, on the respondents' unopposed application, under **Rule 52 of the Rules contained in Schedule 1 of the**

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Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, following upon those part-withdrawals by the claimant.

- (2) Further, in respect of the remaining complaints, alleging breach of contract by failure to pay notice pay, as also wrongful dismissal, those parts of the claimant's claim against these respondents are not withdrawn by him, under **Rule 51**, but they are insisted upon by the claimant, and they will proceed to the Preliminary Hearing on Strike Out for having no reasonable prospects of success, as ordered at this Preliminary Hearing, to be heard on 14 January 2019.

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Employment Judge: I McPherson
Date of Judgment: 16 November 2018
Entered in register: 19 November 2018
and copied to parties

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