



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4113330/2014 Held in Glasgow**

**Employment Judge Robert Gall**

**The Executor of the Late  
Mr J Naylor (deceased)**

**Claimant**

**Arrow XL Limited**

**Respondents**

## **JUDGMENT**

The claim is struck out under rule 37 of the Rules contained in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 on the grounds that the claim has not been actively pursued in terms of rule 37(1)(d).

# REASONS

1. Following the withdrawal from acting of the claimant's solicitor, the Tribunal wrote to the Executor of the Late Mr J Naylor seeking the intentions on the future conduct of the proceedings. Nothing was heard and a reminder sent. Still nothing was heard. A further letter was issued, again seeking information as to whether the claim was to proceed. Nothing was heard.
2. On 30<sup>th</sup> May 2017 the Tribunal gave the Executor of the Late claimant an opportunity to give written reasons by 13<sup>th</sup> June 2017 or to request a hearing in order to consider why the claim should not be struck out. It is appreciated that the situation may be difficult due to the unfortunate death of Mr Naylor. No explanation of any particular difficulty has been provided to the Tribunal however.
3. The Executor of the Late claimant has failed to give an acceptable reason why such a judgment should not be made or to request a hearing. The Tribunal therefore strikes out the claim.

Employment Judge Robert Gall

Date of Judgment 20 June 2017

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