



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4106010/2019**

**Employment Judge C McManus**

**Mrs B Smith**

**Claimant**

**Real Estate Signs Ltd**

**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. The ET1 claim form was submitted on 27 April 2019. On 1 May 2019, notice of this claim and notice of a final hearing on 10 July 2019 was issued to parties. No ET3 response was submitted. Following correspondence with the claimant, the ET became aware that the respondent company is in compulsory liquidation. A letter was issued by the Employment Tribunal office to the claimant giving the information in respect of the liquidator, informing that permission of the court is required and stating that the claimant should decide whether to ask the court for that permission and sisting the case for six months. On 7 January 2020, a letter was issued to the claimant from the ET1 asking for information on whether consent of the court to proceed had been obtained. No reply has been received.

- 2 On 17 January 2020 the Tribunal gave the claimant an opportunity to give written reasons by 24 January 2020 or to request a hearing in order to consider why the claim should not be struck out.
- 3 The claimant has failed to respond or 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:	Claire McManus
Date of Judgement:	18 February 2020
Entered in register:	19 February 2020
And copied to parties	