



## **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case Number: 4107957/2020**

**Mr L Harrison**

**Claimant**

**Caledonia Gym Ltd**

**Respondents**

# **JUDGMENT**

The response 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 response has not been actively pursued in terms of rule 37(1)(d)

# **REASONS**

1. In this case there were originally two respondents. The claim against the first respondent was struck out, and remained pursued against the second respondent which was at that stage the only respondent.
2. The respondent did not engage with the proceedings. On 15 December 2021 the Tribunal wrote to the respondent to state that it was considering striking out the response, and gave the respondent an opportunity to give written reasons by 22 December 2021 or to request a hearing in order to consider why the response should not be struck out.

3. The respondent has failed to respond to that letter.
4. The Tribunal therefore strikes out the response on the ground that the response has not been actively pursued. The Tribunal considers that it is in accordance with the overriding objective to do so under Rule 2

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Employment Judge:	A Kemp
Date of Judgment:	26 January 2022
Date Sent to parties:	26 January 2022