



# EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4113111/2018

Employment Judge Ian McPherson

Mr F Shields

Claimant

Thomas Smith

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. On 9 June 2020, the claimant's solicitors wrote to the Tribunal, withdrawing from acting for him, as they were without instructions from the claimant. On 25 June 2020, the Tribunal wrote to the claimant asking whether he was continuing with his claim unrepresented, and wishing to appoint another representative. A reply was sought by 2 July 2020, but none were forthcoming, despite a reminder sent by the Tribunal on 30 July 2020, for reply by 11 August 2020.
2. On 18 August 2020 the Tribunal gave the claimant an opportunity to give written reasons by 1 September 2020 or to request a hearing in order to ~~consider why the claim should not be struck out.~~

3 The claimant has failed to reply, 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 for failure to actively pursue it.

**Employment Judge: I McPherson**  
**Date of Judgment: 12 October 2020**  
**Entered in register: 02 November 2020**  
**and copied to parties**