



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4106017/2019

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Held In Glasgow on 15 October 2019

Employment Judge: Susan Walker

10 **Mrs J Clinton**

**Claimant
Not present and
Not represented**

15 **James Walker t/a the Black Bull**

**Respondent
Represented by:
Mr Lane -
Solicitor**

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The Judgment of the Tribunal is that the claim shall be dismissed under rule 47 as the claimant did not attend the hearing.

REASONS

1 The claim had been listed for a hearing on 15, 16 and 17 October 2019. The
25 claimant's agents withdrew from acting on 27 September 2019 stating that they had made a number of requests for instructions, but the claimant had failed to respond. The respondent indicated on 1 October that the claimant had not complied with case management directions and indicated it was requesting an order under rule 31 for information.

30 2 The Tribunal wrote to the claimant on 3 October and asked the claimant if she intended to proceed with the claim unrepresented or engage another representative? There was no reply to that letter.

3 The respondent made an application for strike out of the claim on 11 October on the grounds that there had been a failure to comply with orders and a

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failure to actively pursue the claim. Judge Robison directed that that application be considered at the start of the hearing.

4 The day before the hearing, the Tribunal attempted to telephone the claimant to check if she planned to attend but the telephone was hung up. I was
5 concerned to avoid unnecessary expense and therefore directed that that the first day of the hearing would only deal with the application to strike out.

5 The claimant did not attend and therefore Mr Lane requested that the claim simply be dismissed under rule 47 as the claimant had failed to attend and, he said it was clear the claimant did not intend to proceed with her claim.

10 6 Having reviewed all the information before me, I concluded that Mr Lane was correct and that the claim should be dismissed under rule 47.

15 Employment Judge: Susan Walker
Date of Judgment: 16 October 2019
Entered in register: 16 October 2019
and copied to parties
