



## **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case Number: 4111403/2019**

**Mrs D Payne**

**Claimant**

**Thomas Cook Group Pic (In Liquidation)**

**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 claim was submitted to the Tribunal on 3 October 2019. By letter of 21 October 2019 the Tribunal advised the claimant that the respondent was in compulsory liquidation and that permission to proceed required to be sought from the court dealing with the liquidation proceedings.
2. On 27 August 2020 the Tribunal wrote to both parties seeking an update on whether consent had been sought to proceed with the claim. By email of 7 September 2020 the respondent confirmed that they were unaware of any application being made by the claimant to the high court.

3. On 28 June 2021 the Tribunal gave the claimant an opportunity to give written reasons by 12 July 2021 or to request a hearing in order to consider why the claim should not be struck out.
4. The 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: Susan Walker  
Date of Judgement: 16 November 2021  
Entered in register: 18 November 2021  
and copied to parties