



## **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case Number: 4114747/2019**

**Mrs J Rafferty**

**Claimant**

**Thomas Cook Group PLC (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 19 December 2019. By letter of 27 December 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 the claimant seeking an update on obtaining consent to proceed with the claim. No reply was received.
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.

Judge: Susan Walker

Date of Judgement: 16 November 2021

Entered in register: 18 November 2021

and copied to parties