



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4102268/2020**

**Employment Judge M Whitcombe**

**Mr C Pattenden**

**Claimant**

**EBS Systems Ltd (in administration)**

**Respondent**

## **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 8 June 2020, the Tribunal informed the claimant that as the respondent is in administration, the consent of the administrator is required in order for the claim to proceed. The claim was sisted to allow the claimant time to obtain consent.

On 10 December 2020, the Tribunal wrote to the claimant seeking an update on whether consent had been obtained.

On 4 August 2021, the Tribunal sent a reminder to the claimant asking them to confirm whether they had been given consent for their claim to proceed.

2. On 6 September 2021 the Tribunal gave the claimant an opportunity to give written reasons by 20 September 2021 or to request a hearing in order to consider why the claim should not be struck out.
3. 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: Mark Whitcombe

Date of Judgement: 24 November 2021

Entered in register: 09 December 2021

and copied to parties