



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 8000121/2023

Employment Judge P O'Donnell

M Mackay

Claimant

Life Technologies Limited

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 claimant has not complied with orders of the Tribunal and the claim has not been actively pursued in terms of rule 37(1)(c) and (d).

REASONS

1. At the Preliminary Hearing on 17 May 2023, Employment Judge Meiklejohn issued case management orders requiring the claimant to provide further specification of his claims. The claimant was to provide a reply within 28 days of the date on which the Preliminary Hearing Note was issued to the parties. The claimant wrote to the Tribunal on 3 July 2023 to request an extension of 28 days to provide further particulars. The respondent objected to the claimant's application and made an application for strike out of the claim or, in the alternative, for a deposit order.

2. On 11 July 2023, Employment Judge P O'Donnell refused the claimant's application for an extension of 28 days to comply with the Tribunal's order. The Judge instead allowed the claimant a period of 7 days to comply with the Tribunal's order and provide a response to the respondent's applications for strike out or a deposit order. No reply was received.
3. On 20 July 2023 the Tribunal gave the claimant an opportunity to give written reasons by 27 July 2023 or to request a hearing in order to consider why the claim should not be struck out.
4. The claimant has failed to provide any response to the correspondence of 20 July 2023. The Tribunal therefore strikes out the claim.

Employment Judge: P O'Donnell
Date of Judgment: 08 August 2023
Entered in register: 09 August 2023
and copied to parties