



# EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4103317/2023

Employment Judge Ian McPherson

Mr Shaun McGuigan

Claimant

La Vita East End 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 claim has not been actively pursued in terms of rule 37(1)(d).

## REASONS

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1. On 27 June 2023 the Tribunal wrote to the claimant asking if they had received the payment specified by the respondent in the ET3 response form, and, if so, whether the claim continues to be pursued. No reply was received from the claimant.

2. On 14 July 2023 the Tribunal wrote to the claimant reminding them to reply to the earlier letter dated 27 June 2023. The Tribunal further asked the claimant to comment on additional correspondence from the respondent in respect of payment of the specified sum. No reply was received from the claimant.
3. On 24 July 2023 the Tribunal gave the claimant an opportunity to give written reasons by 07 August 2023 or to request a hearing in order to consider why the claim should not be struck out. No reply was received from the claimant.
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: I McPherson**  
**Date of Judgment: 09 August 2023**  
**Entered in register: 09 August 2023**  
**and copied to parties**