



## **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case Number: 8000231/2023**

**Mr D Johnstone**

**Claimant**

**Marston's Trading Limited**

**Respondent  
Represented by:  
Ms G Burrows,  
Associate**

# **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 2 August 2023 the Tribunal gave the claimant an opportunity to give written reasons by 9 August 2023 or to request a hearing in order to consider why the claim should not be struck out.
2. 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 McFtridge**  
**Date of Judgment: 30 August 2023**  
**Date sent to parties: 31 August 2023**