



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4104317/2023

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Held via Cloud Video Platform (CVP) in Edinburgh on 30 October 2023

Employment Judge R McPherson

Mr Pawel Cebula

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Claimant
In Person [via
interpreter - Ms
Schoenborn-
Joseph]

15 94 Holdings Ltd (Now a dissolved company)

Respondent
Not present and
Not represented

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

20 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 ground that as the respondent is now a dissolved company, the Tribunal has no jurisdiction, being a ground for strike out in terms of Rule 37(1) (a) on the basis that the claim has no reasonable prospect of success.

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REASONS

Preliminary matters

1. The claimant presented his claim to the Employment Tribunal on **16 August 2023**, which followed upon ACAS conciliation, which commenced on **14 August 2023** and in respect of which the ACAS certificate was issued on **15 August 2023**
2. No ET3 response was made.
3. The claimant made three claims arising from the termination of his employment:

- a. For redundancy payment following the termination of his employment on 4 June 2023, which employment had commenced on 26 April 2021, and which the claimant calculated with regard to his age (50 at termination) and his weekly wage, in the sum of £1,650.00; and
 - 5 b. For unpaid wages in the sum of £1,650; and
 - c. For accrued holiday pay, which the claimant calculated as £560.
4. Parties were notified of this Final Hearing on 21 August 2023.
 5. In advance of this hearing, the claimant produced vouching for his calculations, including wage slips.
 - 10 6. Further and in advance of the hearing, the Tribunal wrote to Companies House on 20 October 2023, noting there was a proposal to dissolve the respondent company and that there were ongoing proceedings in the Employment Tribunal.
 7. The respondent was, however, dissolved via compulsory strike-off on 24
15 October 2023. In all the circumstances it could not be said that an application to the Court to seek to restore the respondent, accompanied by a request to this Tribunal that this matter be sisted pending restoration, would provide an effective remedy and no such request for sist (suspension of this action) was made by the claimant.

20 **Decision**

8. The claim is struck out as the respondent has been dissolved.

Employment Judge:	McPherson
Date of Judgment:	02 November 2023
Entered in register:	03 November 2023
and copied to parties	