



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4102793/2023**

**Employment Judge L Wiseman**

**Mr F Hood**

**Claimant**

**Rocks Leisure Ltd (In Liquidation)**

**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 2 August 2023, the Tribunal wrote to the claimant to inform him that the respondent company is in compulsory liquidation. The Tribunal stated that, in accordance with the Insolvency Act 1986, legal proceedings cannot be instituted or continued against the respondent company without the permission of the court which is dealing with the liquidation proceedings.
2. The claimant was instructed to write to the Tribunal within 6 months to confirm whether he had applied to the court for consent. No reply was received.

3. On 22 February 2024 the Tribunal gave the claimant an opportunity to give written reasons by 7 March 2024 or to request a hearing in order to consider why the religion/belief discrimination claim should not be struck out.
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 of discrimination on the grounds of religion/belief on the basis that it has not been actively pursued.

**Employment Judge: L Wiseman**  
**Date of Judgment: 11 March 2024**  
**Entered in register: 12 March 2024**  
**and copied to parties**