



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4107140/2023

Employment Judge P O'Donnell

Mr C McGuire

Claimant

Bottom Groundworks & Plant Hire 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

1. On 09 February 2024 the claimant wrote to the Tribunal indicating the monies said to be due to the claimant from the respondent had now been paid.

2. On 12 February 2024 the Tribunal wrote to the claimant asking them to confirm if the claim was to be withdrawn. No reply was received from the claimant.
3. On 13 March 2024 the Tribunal issued the claimant a reminder to reply to the earlier correspondence. No reply was received from the claimant.
4. On 28 March 2024 the Tribunal gave the claimant an opportunity to give written reasons by 15 April 2024 or to request a hearing in order to consider why the claim should not be struck out. No reply was received from the claimant.
5. 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 on the basis that the claimant is not actively pursuing it.

Employment Judge Peter O'Donnell
Employment Judge

17/4/24
Date of Judgment

Date sent to parties

17 April 2024