



EMPLOYMENT TRIBUNALS (SCOTLAND)

Employment Judge L Wiseman
Case Number: 4107669/2024

Mr W McMurray

Claimant

Findlay Contracts Ltd

Respondent

JUDGMENT

The claim is struck out under rule 38 of the Employment Tribunal Procedure Rules 2024 on the grounds that the claim has not been actively pursued in terms of rule 38(1)(d).

REASONS

1. On 12 May 2025 the claimant's representative informed the Tribunal that they were withdrawing from the case as they had had no communication from the claimant for more than two months. It was confirmed that all correspondence should be sent directly to the claimant.
2. On 16 May 2025, the Tribunal wrote to the claimant and asked him to confirm whether he still wished to pursue his claim. No response was received.
3. On 27 May 2025, the respondent submitted an application for strike out of the claim on the basis that it was no longer actively pursued. The application was copied to the claimant and set out the efforts made by the respondent to contact the claimant with a view to progressing the case. They received no response.

4. On 30 May 2025 the Tribunal gave the claimant an opportunity to give written reasons by 9 June 2025 or to request a hearing in order to consider why the claim should not be struck out.
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 it is not actively pursued.

Date sent to parties

11 June 2025
