



## EMPLOYMENT TRIBUNALS (SCOTLAND)

Employment Judge d'Inverno  
Case Number: 4103047/2023

Mr M Theiss

Claimant

Mass Hospitality 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 January 2024, Orders were issued to parties to comply with prior to a final hearing. Parties did not comply with these orders and not contact was made with the Tribunal. On 29 December 2025, a reminder was issued to parties. Parties did not respond.
2. On 09 March 2026 the Tribunal gave the claimant an opportunity to give written reasons by 23 March 2026 or to request a hearing in order to consider why the claim should not be struck out.
3. 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.

Date sent to parties

13 April 2026

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