



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case Number: 4106372/2017**

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**Held in Glasgow**

**Employment Judge: Shona MacLean**

10 **Mr Paul Carberry (deceased)**

**Claimant**

**The Glasgow Housing Association Limited**

**Respondent**

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**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**

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1. The claimant sadly passed away on in December 2017. Livingstone Brown Solicitors withdrew from acting on 16 August 2018 as they were unable to obtain instructions from the claimant's family. The Tribunal sent an email to the claimant's daughter asking if she wished to continue with the claim. A reminder was sent to her on 12 September 2018 explaining that if there was

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no response an Employment Judge will consider if the claim was being actively pursued and may strike out the claim.

2. On 5 October 2018 the Tribunal gave the claimant's family an opportunity to give written reasons by 18 October 2018 or request a hearing to consider why the claim should not be struck out.

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3. The claimant's family has failed to give any reason why such a judgement should not be made or request a hearing. The Tribunal therefore strikes out the claim.

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**Employment Judge: S MacLean**  
**Date of Reasons: 19 November 2018**  
**Entered in register: 19 November 2018**  
**and copied to parties**

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