



# EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 3315466/2020

Employment Judge F Eccles

Mr C Quinn

Claimant

Provider Ltd

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 it has no reasonable prospect of success in terms of rule 37(1) (a).

# REASONS

1. At the preliminary hearing on 6 September 2021, Employment Judge Meiklejohn made a Deposit Order under rule 39 of the Employment Tribunal Rules of Procedure. The judge considered that the claimant's assertion that his dismissal was unfair had little reasonable prospect of success. The claimant was therefore ordered to pay a deposit of £250 as a condition of being allowed to continue to advance that assertion.
2. On 6 October 2022, the Tribunal issued the Deposit Order requiring the claimant to make payment of the deposit by no later than two months from the date of the Order.
3. The claimant failed to pay the deposit order and his assertion that his dismissal was unfair was struck out in accordance with rule 39(4).
4. On 7 January 2022 the Tribunal gave the claimant an opportunity to give written reasons by 21 January 2022, or to request a hearing, in order to consider why the claim should not be struck out on the grounds that it has no reasonable prospects of success in the absence of that assertion.
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.

Employment Judge: Frances Eccles  
Date of Judgment: 09 February 2022  
Entered in register: 09 February 2022  
and copied to parties

---