



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number: 4100966/2022
Employment Judge M Whitcombe

Mr S Kelly

Claimant

**Weir & McQuiston (Scotland) Limited (In
Administration)**

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 10 January 2023 the Tribunal asked the claimant to provide a schedule of loss for the outstanding claims of wages, holiday pay and breach of contract by 24 January 2023. No reply was received from the claimant.
2. On 03 February the Tribunal reminded the claimant to provide the information outstanding by 10 February 2023. No reply was received from the claimant.
3. On 22 February 2023 the Tribunal gave the claimant an opportunity to give

written reasons by 08 March 2023 or to request a hearing in order to consider why the claim should not be struck out. No reply was received.

4. 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: M Whitcombe
Date of Judgment: 14 April 2023
Entered in register: 18 April 2023
and copied to parties