



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number: 4105324/2023

Employment Judge Macleod

Ms L McGinty

Claimant

Secretary of State for Business and Trade

1st Respondent

Womankind Beauty Ltd

2nd Respondent

JUDGMENT

The claim is struck out under the provisions of rule 39 (1)(d) of the Employment Tribunals Rules of Procedure 2013 on the basis that it has not been actively pursued.

REASONS

1. The 2nd respondent company is in compulsory liquidation. The claimant was notified of the need to obtain the consent of the court for these proceedings to be instituted or continued as required by the Insolvency Act 1986. No such consent has been obtained.

2. On 15 March 2024 the Tribunal gave the claimant an opportunity to give reasons why the claim should not be struck out as it had not been actively pursued. The time limit for so doing has passed and the claimant has failed to give an acceptable reason.
3. On 19 November 2024, the Tribunal wrote again to the claimant to give her the opportunity to give reasons why the claim should not be struck out as it had not been actively pursued. This related to her more general failure to reply to the correspondence of the Tribunal, and was therefore broader than the initial strike out warning issued on 15 March 2024, which was restricted to the claim against the 2nd respondent. The time limit for providing reasons why the claim should not be struck out has passed and the claimant has failed to give any acceptable reason.
4. The claim is therefore struck out as against the 1st and 2nd respondents under the provisions of rule 39(1)(d) of the Employment Tribunals Rules of Procedure 2013 on the ground that it has not been actively pursued.

Murdo A Macleod

Employment Judge (signature)

6 December 2024

Date of judgment

10 December 2024

**Entered in register
and copied to parties**