

EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: S/4100299/17

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Held in Glasgow on 10 May 2017

Employment Judge: Robert Gall

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Mr Chris Savage

**Claimant
No Appearance**

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1. Alchemy Inns Ltd

**1st Respondents
No Appearance**

2. Polmont Pub Company

**2nd Respondents
No Appearance**

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3. Alchemy Inns Retail Ltd

**3rd Respondents
No Appearance**

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

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The Judgment of the Tribunal is that the claim against all three respondents is at an end in the following circumstances:-

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(1) The claim against the first and third respondents was withdrawn by the claimant. In terms of Rule 52 of the Employment tribunals (Constitution & Rules of Procedure) Regulations 2013, the claim against those respondents is dismissed following withdrawal.

(2) The claim against the second respondents is dismissed in terms of Rule 47 due to non attendance by the claimant at the Hearing.

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REASONS

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1. The claim was brought against 3 respondents. Intimation was made of settlement having taken place with confirmation that the claim against first
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and third respondents was to be withdrawn. The case against the first and third respondents is dismissed following withdrawal.

- 5 2. It was unclear to the Tribunal whether the claimant intended to withdraw his claim against the second respondents. Email correspondence with the claimant, whilst potentially confirming that, was viewed by the Tribunal as being slightly unclear on that point. The Hearing set down for 10 May 2017 therefore remained in place. It was explained to the claimant that he should either attend the Hearing or should confirm prior to the Hearing in clear terms that he was withdrawing his claim against the second respondents.
- 10 3. No such clear intimation was received by the Tribunal prior to the Hearing. The claimant did not appear at the Hearing.
- 15 4. Given the background and the non-appearance of the claimant at the Hearing, the decision was taken to dismiss the claim as against the second respondents.

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Employment Judge: Robert Gall
Date of Judgment: 10 May 2017
Entered in register: 11 May 2017
25 and copied to parties

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