



## **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case Number: 4105067/2022**

**Mr D Moreira**

**Claimant**

**JD Gyms Limited**

**Respondents**

# **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**

The Claimant presented a claim to the Employment Tribunal on 12/7/22.

On 23/11/22 the claimant was asked for further detail of constructive unfair dismissal claim.

On 5<sup>th</sup> December he replied asking for an extension until 9/12, which was allowed. Reminders were sent by the Tribunal on 12 and 28 December and 12 January 2023 asking for a response.

1. On 20 January 2023 the Tribunal gave the claimant an opportunity to give written reasons by 3 February 2023 or to request a hearing in order to consider why the claim should not be struck out.

2. 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: L Doherty**  
**Date of Judgment: 06 February 2023**  
**Entered in register: 08 February 2023**  
**and copied to parties**