



## **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case Number: 4106853/2023**

**Mr S Bruhn**

**Claimant**

**Foodmek Limited (In Liquidation)**

**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. A strike out warning letter was sent on 28 August 2024 advising the Claimant that consideration was being given to striking the claim out on grounds that it was not being actively pursued. A response was required by 4 September 2024.
2. A letter dated 5 February 2024 was sent to the Claimant informing them of the Respondents compulsory liquidation and the fact that they had to gain consent of the court to proceed with their claim. A further letter was sent to the Claimant on 17 July 2024 asking for an update on the position, but no reply was received from the Claimant. A reminder was issued to this letter dated 16 August 2024 and again no reply was received from the claimant. The strike-out warning letter was issue to the claimant giving them until 4 September 2024 to lodge a reply or request a hearing, as the Claimant has failed to respond or give reasons why such a judgment should not be made or to request a hearing. The Tribunal therefore strikes out the claim.

A Kemp

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Employment Judge (signature)

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10 September 2024

Date of judgment

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18 September 2024

**Entered in register  
and copied to parties**