



THE EMPLOYMENT TRIBUNAL

BETWEEN:

Ms M Chapman

Claimant

and

Stewpot's Nursery Ltd

Respondent

JUDGMENT

The claim is struck out on the ground that it is not being actively pursued.

REASONS

1. The claimant submitted a claim in respect of unpaid wages on 21 January 2018. The claim was against the respondent named above and others. A response was filed on 23 March 2018. At a preliminary hearing on 15 October 2018 Judge Spencer established that the proper respondent to the claim is as appears above but that company had been struck off the register and therefore the claim could not proceed.
2. On 16 October 2018 the Tribunal wrote to the claimant at Judge Spencer's direction informing her that the company had been dissolved and that her claim could only proceed if it was restored to the register and that the proceedings were stayed. The claimant was instructed to inform the Tribunal if she decided to apply to have the company restored and that if she did not do so the claim would be considered again in six months. She was told that if at that stage no such application has been made or had been refused she may then be asked to give reasons why her claim should not be struck out because it was not being actively pursued.
3. On 6 June 2019 on the instruction of Judge Sage the Tribunal wrote to the claimant asking for a response to the letter of 16 October 2018. No reply was received and on 30 January 2020 a strikeout warning letter was sent to the claimant by the Tribunal and she was invited to give reasons why that should not be done within 14 days of the date of that letter. No response has been received and accordingly the claim is struck out.

Employment Judge K Andrews
Date: 19 November 2020

