



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case No: 4103720/2022

Preliminary Hearing held at Dundee on 22 November 2022

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Employment Judge McFatridge

Mr David Bruce

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**Claimant
In person**

Energy Assets Limited

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**Respondent
Represented by
Mr Singh,
Solicitor**

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The judgment of the Tribunal is that

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1. The respondent's application to strike out the claim in terms of rule 47 on the basis of the claimant's failure to attend preliminary hearings on 26 September and 1 November 2022 is refused.

2. The respondent's application to strike out the claim under rule 37 on the basis that it had no reasonable prospect of success is refused (following the respondent indicating they were no longer insisting on this application.)

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3. The claimant's claim of race discrimination having been withdrawn is dismissed in terms of rule 52.

4. A Deposit Order under rule 39 is granted in the terms attached so that the claimant will require to pay a deposit of £50 each as a pre-condition of pursuing his claims of unfair dismissal and disability discrimination.

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REASONS

1. Oral reasons were given at the hearing.

Employment Judge: I McFatridge

Date of Judgment: 22nd November 2022

Date sent to parties: 22nd November 2022