

THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

Not reportable
Case No: JS168/15

In the matter between:

JOB MYBOY MLAMBO AND OTHERS

Applicant

and

CHOPPIES SOUTH AFRICA (PTY) LTD

Respondent

Heard: 16 January 2024 (In Chambers)

Delivered: 16 January 2024

**JUDGMENT –
LEAVE TO APPEAL**

BALOYI, AJ

Introduction

[1] The respondent has approached this Court seeking leave to appeal against certain portions of the orders made in the judgment prepared by myself and handed down on 27 October 2023.

The issues

[2] The respondent's application rests on three issues. Firstly, the Court allowed individuals who were not initially before the Court to be parties in the matter. Secondly, Mr Mabusela was awarded a relief of reinstatement given the

closure of the Rustenburg branch. Thirdly, the finding in favour of the Koster, Lichtenburg and Swaartruggens employees who are awarded compensation.

- [3] At the time of considering this application, the applicant's written submissions were not part of the Court file documents. The time within which such submissions were to be filed had expired.
- [4] After having considered the application, read with the orders made, I have come to the conclusion that there are prospects of success on some of the orders made.
- [5] It will therefore be in the interest of justice to have the appeal heard.
- [6] In the premises, the following order is made:

Order

1. The application for leave to appeal is granted.
2. There is no order as to costs.

M Baloyi
Acting Judge of the Labour Court of South Africa