

| Sneller Verbatim/HVDM

IN THE LABOUR COURT OF SOUTH AFRICA

BRAAMFONTEIN

CASE NO: JR1075/01

2002-03-05

In the matter between

MANDLA MANDLOPHA

1st Applicant

MANDLA SHANGE

2nd Applicant

JOHANNES MAPONYA

3rd Applicant

PHILLIP KHOMANE

4th Applicant

SOUTH AFRICAN FOOD, RETAIL AND

AGRICULTURAL WORKERS UNION

5th Applicant

and

DISPUTE RESOLUTION CENTRE

1st Respondent

ROBERT BOSCH (PTY) LTD

2nd Respondent

J U D G M E N T

Delivered on 5 March 2002

REVELAS J:

1. This is an application for the setting aside and review of a ruling made by the second respondent

wherein he refused to grant condonation to the first four applicants in respect of the late referral of their dispute. There were several applications for condonation in this matter, including an appeal.

2. I am satisfied that the Dispute Resolution Centre, the first respondent, is also to blame for the delay in this matter and that justice would be served best if the ruling is set aside and the matter is referred to the first respondent to be arbitrated.

3. I make the following order:

1. The ruling under case number 06/656/2000 dated 26 July 2001 handed down on 26 July is set aside.
2. The matter is referred back to the first respondent for arbitration, condonation having been granted.

E. Revelas