



REPUBLIC OF SOUTH AFRICA

THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

JUDGMENT

Not Reportable

Case no: J169/11

In the matter between

DLAMINI, WELILE

Applicant

and

THABA STRATEGIC SERVICES

Respondent

Heard: 27 October 2011

Delivered: 2 March 2012

Summary:

JUDGMENT

SAVAGE AJ:

- [1] This is an application for an arbitration award to be made an order of the court in terms of section 158(1)(c) of the Labour

Relations Act.¹ There has been opposition by the respondent to this application.

- [2] The respondent has taken no steps to apply to review the arbitration award handed down in this matter. Instead, the respondent brought an application from the bar to seek the postponement of the current application. A postponement is not simply granted by this Court as a matter of course and without any substantive basis being put up to justify such postponement. The respondent has taken no steps to make out a case which justifies the granting of the application to postpone these proceedings. In the circumstances, and given that a case has not been made out to justify a postponement, the matter must proceed.
- [3] The respondent has provided no basis to this Court to support its opposition to the application to have the award made an order of court. The award is one that was duly made by the CCMA in accordance with the provisions of the Labour Relations Act..It has not been reviewed or set aside by this Court and no basis has been provided by the respondent as to why this application should not be granted.
- [4] In the circumstances, the application for the arbitration award in this matter to be made an order of this Court in terms of section 158(1)(c) is granted with costs.

SAVAGE AJ:

¹ 66 of 1995.

APPEARANCES:

FOR THE APPLICANT A. Goldberg instructed by Goldberg

Attorneys FOR THE RESPONDENT: B.M Tloubatla instructed by

Tloubatla Attorneys

LABOUR COURT