



REPUBLIC OF SOUTH AFRICA
IN THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG
JUDGMENT

Not Reportable

CASE NO: JS 1043/12

In the matter between:

SOLIDARITY OBO ROOS

Applicant

And

SOUTH AFRICAN POLICE SERVICES

Respondent

Date edited: 12 March 2014

EX TEMPORE JUDGMENT

MOLAHLEHI J

- [1] This matter served before the Court on 4 November 2013. On that day the two issues that arose concerned the documentation submitted by the parties and an application for postponement of the matter. The issue of documentation was resolved on the basis that the matter would be submitted for file management process which is not necessary in this ruling.
- [2] The matter stood down by agreement between the parties to 7 November 2013, for the purposes of engaging in settlement discussions. On 7 November 2013, the parties having failed to reach settlement, the Court had to consider the application for the postponement of the matter.

[3] It is common cause that the matter would not have progressed on Wednesday of that week as counsels for both parties were to appear in the Supreme Court of Appeal. The issue that remained for consideration was the costs occasioned by the postponement sought by the respondent on 7 November 2013. In considering this issue the Court took into account that the application was made very late and that had it been brought earlier the matter could have been removed from the roll. It was also apparent that the respondent came to Court not ready to proceed as the two witnesses it intended leading was still to be consulted.

[4] It was for the above reasons that I made the following order:

1. The respondent is to pay the wasted costs for 7 and 8 November 2013, occasioned by the postponement.

E Molahlehi

Judge of the labour court of South Africa

Appearances:

For the Applicant: Advocates MSM Brassey SC & MJ Engelbrecht

Attorney: J D Classen

Instructed by: Serfontein, Viljoen & Swart Attorneys

For the Respondent: Advocate WM Mokhari SC

Instructed by: State Attorney