



IN LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

Not reportable

Case No J2934/12

In the matter between:

TIISETSO WILLIAM MOKITIMI

Applicant

and

**COMMISSION FOR CONCILIATION,
MEDIATION AND ARBITRATION**

First Respondent

**SEDIBENG DISTRICT
MUNICIPALITY**

Second Respondent

Considered in chambers

Dated: 27 March 2017

JUDGMENT: LEAVE TO APPEAL

MOTHIBI, AJ

[1] This is an application for leave to appeal an extemporary judgment delivered by this court on 12 July 2016.

[2] The Applicant has filed an application for leave to appeal against that judgment. The Second Respondent has indicated that it will abide by the Court's decision.

[3] The Applicant has raised a number of grounds in pursuing his application for leave to appeal. It is not necessary for me to regurgitate those grounds in this ruling save to state that I have considered them and am satisfied that based on the test applied to applications of this nature being whether another Court might reasonably come to a different conclusion than the one that I reached in giving my judgment. I accept that another Court, having regard to the grounds of appeal raised by the Applicant may come to a different conclusion than the one I reached.

[4] In the circumstances, I make the following order:

1. The application for leave to appeal is granted against the whole judgment and order handed down by this Court ex tempore on 12 July 2016.

J Mothibi

Acting Judge of the Labour Court of South Africa