



**IN THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG**

Not Reportable  
Case no: JR212/14

In the matter between:

**JOSEPH MATHEBULA**

**Applicant**

and

**SIBANYE GOLD LIMITED**

**First Respondent**

**COMMISSION FOR CONCILIATION,**

**MEDIATION AND ARBITRATION**

**Second Respondent**

**LINDOKUHLE DLAMINI N.O.**

**Third Respondent**

**Heard: in Chambers**

**Delivered: 29 May 2017**

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**JUDGMENT: APPLICATION FOR LEAVE TO APPEAL**

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GUSH J

### Introduction

- [1] The applicant applies for leave to appeal to the Labour Appeal Court against the judgment in this matter handed down on 22 February 2017.
- [2] The applicant filed its notice of application for leave to appeal on 20 March 2017 (accompanied by a condonation application regarding the late filing of the application for leave to appeal) and written submissions 19 May 2017.
- [3] The first respondent filed its opposition to the application for leave to appeal on 18 May 2017.
- [4] There is no opposition to the condonation application and condonation is granted.
- [5] I am not persuaded that there is a reasonable prospect of another court coming to a different decision.

### Order

- [6] I accordingly make the following order:
1. The applicant's application for leave to appeal is dismissed.

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D H Gush

Judge of the Labour Court of South Africa

LABOUR COURT