



THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG
JUDGMENT

Not Reportable

JR1013/13

In the matter between:

ROFHIWA RAMANYIMI

Applicant

and

**COMMISSION FOR CONCILIATION,
MEDIATION AND ARBITRATION**

First Respondent

PRETORIUS, D. A.

Second Respondent

NATIONAL HOUSING FINANCE CORPORATION

Third Respondent

Heard: 12 June 2017 In Chambers

JUDGMENT: APPLICATION LEAVE TO APPEAL

GUSH J

- [1] The applicant in this matter applies for leave to appeal against the judgment handed down on 6 September 2016 in which judgment I dismissed the applicants

application to review and set aside the arbitration award.

- [2] The arbitrator had found that the applicant had been substantively fairly dismissed but the procedure was unfair. The applicant had been awarded compensation in an amount of R45,166.66 by the arbitrator as compensation for the unfair procedure.
- [3] During the hearing of the review it became clear that the third respondent had in fact satisfied the award by paying the applicant, the amount set out in the award which payment the applicant had accepted. **This was confirmed by Mr Malatji, who appeared on behalf of the applicant.**
- [4] I concluded that the principle of peremption applied and dismissed the applicant's application.
- [5] I have read and have considered the applicant's grounds of appeal. I am not persuaded that there is any possibility of another court coming to a different decision.
- [7] In the circumstances, I make the following order.

The applicant's application for leave to appeal is dismissed.

Gush J

Judge of the Labour Court of South Africa