



THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

JUDGMENT

Not Reportable

Case no: JR 1190/16

In the matter between:

AVHAPFANI OSLET RAMABULANA

Applicant

and

**COMMISSION FOR CONCILIATION MEDIATION
AND ARBITRATION**

First Respondent

LAWRENCE NOWESENETZ N.O.

Second Respondent

UNIVERSITY OF SOUTH AFRICA

Third Respondent

Heard: 16 October 2017

REASONS-

DIRECTIVE 16 OCTOBER 2017

MOSHOANA J

Introduction

- [1] The applicant ('Avhapfani Osley Ramabulana'), brought an application for an extension of the time period for the filing of the record for a review application.
- [2] The application was opposed. The Judge President of the Labour Court allocated the file to me for a ruling. Having considered the reasons advanced, I ruled that the period be extended by a period of 30 days.

Issues

- [3] For some strange reasons, the third respondent termed my judicial ruling an administrative action and sought to be provided with reasons.

Evaluation

- [4] It is saddening to note that the third respondent's legal representative, well renowned I must add, could refer to a judicial ruling as an administrative action. I perform judicial functions and not administrative functions. The fact that I made the ruling in chambers does not detract from the fact that I performed judicial functions.
- [5] In terms of Clause 11.2.3, I made a ruling and did not perform an administrative action. The practice manual does not make provisions for providing reasons for a ruling made in terms of Clause 11.2.3.
- [6] In fact, I find the conduct of the practitioner involved in this request to be contemptuous. I shall direct the Registrar to place a copy of these reasons with the relevant law society to investigate this conduct.

Order

- [7] In the premises, I make the following order:

1. There are no reasons to be provided for the ruling;

2. The Registrar is to place these reasons with the relevant Law Society

Moshoana J

Acting Judge of the Labour Court

Submissions:

For the Applicant: None

For the Third Respondent: Imraan Mahomed

Instructed by: Hogan Lovells (South Africa) Inc.