



IN THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

Not reportable
Case No: JR2519/15

In the matter between

NATASJA VAN EEDEN

Applicant

and

HYPROP INVESTMENTS LIMITED

First Respondent

WW FERREIRA N.O.

Second Respondent

CCMA

Third Respondent

Heard: In Chambers

Delivered: 15 March 2018

JUDGMENT – LEAVE TO APPEAL

MONI. AJ

- [1] This is an application for leave to appeal by the appellant, and application for condonation and cross appeal by the respondent against the judgment of this court handed down on 22 November 2017. The appellant's application is opposed.

[2] In the circumstances wherein the respondent's reply was due during the festive season and was not opposed, the condonation application is granted.

[3] Having considered the grounds for leave to appeal and cross appeal, I conclude that both applications lack reasonable prospects of success or some other compelling reason why the matter should be referred to the Labour Appeal Court.

Order

In the premises the following order is made:

1. The respondent's application for condonation is granted;
2. The appellant's application for leave to appeal is dismissed;
3. The respondent's application for leave to appeal only if the appellant's application is granted is dismissed;
4. There is no order as to costs.

N Moni

Acting Judge of the Labour Court

Submissions:

For the Applicant: Du Pre Le Roux Attorneys

For the Respondent: Larry Dave Inc.