



IN THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

Not reportable

Case No: JR31/16

In the matter between:

SUID-OOS BELT SPLICING CC

Applicant

and

OUPA STROOI MOTAUNG

First Respondent

COMMISSIONER K. MOLWELANG

Second Respondent

COMMISSION FOR CONCILIATION

MEDIATION AND ARBITRATION

Third Respondent

Heard: In chambers

Delivered: 15 May 2018

JUDGMENT

APPLICATION FOR LEAVE TO APPEAL

JONES, AJ

[1] The unopposed application for review was dismissed in *an ex tempore* judgment on 11 January 2017. Full reasons for the Court's order were

provided in the *ex tempore* judgment and form part of the Court record for the day.

- [2] A copy of an application for leave to appeal dated 12 September 2017 was subsequently filed at court, requesting reasons for the judgment. No application for the condonation of the late filing of the application for leave to appeal has been filed to date. There is also no proof of service on the respondents.
- [3] The matter appears not to have been dealt with by the Court at the time as there was non-compliance with 15.1 of the Practice Manual of the Labour Court and the application was not served on the judge's secretary.
- [4] On or about 13 April 2018 a directive was sent to the Applicant from the Labour Court, requesting compliance with the Practice Manual. To date the Applicant has not complied with the directive.
- [5] The application for leave to appeal should have been made within 15 days of the order on 11 January 2017. The reasons for the order were provided in the *ex tempore* judgment. The application for leave to appeal is accordingly out of time.
- [6] As there is no application for the condonation of the late filing of the application for leave to appeal, this application is not properly before the Court and is hereby dismissed.

Order

- [7] In the circumstances I make the following order:
 - 1. The applicant's application for leave to appeal is dismissed.
 - 2. No order as to costs.

Jones AJ

Acting Judge of the Labour Court, South Africa