



THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

Not Reportable
Case No: JR19/22

In the matter between:

THOKA MAKORWANE PATRICK KGOALE

Applicant

and

THABA CHWEU LOCAL MUNICIPALITY

First Respondent

**COMMISSION FOR CONCILIATION,
MEDIATION AND ARBITRATION**

Second Respondent

LETSEMA MOKOENA N.O.

Third Respondent

Heard: In Chambers

Delivered: 20 March 2025

**JUDGMENT:
APPLICATION FOR LEAVE TO APPEAL**

MAKHURA, J

[1] The applicant applied for leave to appeal against the whole of the judgment and order issued by this Court on 12 December 2024. In terms of that judgment, this Court dismissed the applicant's application to review and set aside the award.

[2] The application for leave to appeal was delivered on 29 January 2025 and it is in compliance with and was launched within the prescribed period set out in the Rules Regulating the Conduct of the Proceedings of the Labour Court. Rule 67(5) provides that:

‘Within 10 days of the filing of the application for leave to appeal, the party seeking leave may file submissions in support of the application, and any party opposing the application for leave to appeal may file its opposing submissions within 5 days thereafter.’

[3] In his notice of application for leave to appeal, the applicant stated that unless otherwise directed by this Court, he would deliver the submissions within 10 days. That period expired on 12 February 2025. To date, the applicant has not delivered his submissions. The application is therefore non-compliant with the rules of this Court and it falls to be struck from the roll for non-compliance.

[4] In the premises, the following order is made:

Order

1. The application for leave to appeal is struck from the roll for non-compliance with Rule 67(5) of the Labour Court rules.

M. Makhura
Judge of the Labour Court of South Africa

LABOUR COURT