



- (1) Reportable: NO
(2) Of interest to other Judges: Yes

Signature

27/02/2026

Date

THE LABOUR COURT OF SOUTH AFRICA, CAPE TOWN

Case no: 2026-037053

In the matter between:

**DISTRI GEORGE (PTY) LTD
T/A DISTRILIQ GEORGE**

Applicant

and

**INDEPENDENT COMMERCIAL,
HOSPITALITY AND ALLIED
WORKERS UNION (ICHAWU),
EMPLOYEES LISTED IN
ANNEXURE "A"**

**Second and Further
Respondents**

**JUDGMENT IN APPLICATION UNDER S 18(3) OF THE
SUPERIOR COURTS ACT 10 OF 2013**

LAGRANGE, J

- [1] The applicant applied under s 18(3) of the Superior Courts Act 10 2013 to uplift the suspension of the operation of the judgment handed down by this court on 9 February 2026 in case number 2025-246180, which was suspended pending

the outcome of an application for leave to appeal against the judgment brought by the respondents. The s 18(3) application was opposed by the respondents.

- [2] The application was enrolled for hearing on 20 February 2026, and extensive argument was heard. However, it transpired that the applicant had filed its opposing submissions in application for leave to appeal the same day. The parties agreed that the leave to appeal application could be decided by the court, even though the respondents had only filed their notice of application for leave to appeal.
- [3] Judgment in the leave to appeal application was handed down on 23 February 2026. Consequently, this section 18(3) was rendered moot and the application must be struck off the roll.

Order

1. The application is struck off the roll having become moot.
2. No order is made as to costs.



R Lagrange
Judge of the Labour Court of South Africa

In Chambers

27 February 2026