



- (1) Reportable: No
(2) Of interest to other Judges: No
(3) Revised: No

Signature

Date

THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

Case No: JR2882/19

In the matter between:

SOLIDARITY obo FREDERICK JOHANNES DU PLESSIS

Applicant

and

**COMMISSION FOR CONCILIATION,
MEDIATION AND ARBITRATION**

First Respondent

WILKENS, TD N.O.

Second Respondent

ESKOM SOC LTD

Third Respondent

Heard: In Chambers

Date: 8 April 2026

This judgment was handed down electronically by circulation to the parties' legal representatives by email. The date for hand-down is 8 April 2026.

**JUDGMENT:
APPLICATION FOR LEAVE TO APPEAL**

MAKHURA, J

- [1] On 26 November 2025, this Court, per Kumalo AJ, dismissed with costs the applicant's application to review and set aside an arbitration award issued by the second respondent on 30 October 2019. In that award, the second respondent concluded that the dismissal of the individual applicant was both substantively and procedurally fair.
- [2] The applicant subsequently filed an application for leave to appeal on 19 January 2026 against the judgment and order referred to above. In terms of section 17(2) of the Superior Courts Act 10 of 2013, the Judge President has allocated this matter to me for determination of the application for leave to appeal.
- [3] I have considered the application for leave to appeal, together with the grounds advanced by the applicant as further developed in the written submissions. I have also had regard to the applicable statutory test for the grant of leave to appeal contained in section 17(1) of the Superior Courts Act and am satisfied that the application meets the requisite threshold.
- [4] In the premises, the following order is made:

Order

1. The application for leave to appeal is granted.

M. Makhura
Judge of the Labour Court of South Africa