



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

Signature

19 August 2026
Date

THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

Case No: JR1115/22

In the matter between:

SAMWU obo NYATHI & OTHERS

Applicant

and

CITY OF EKURHULENI

First Respondent

MABUSELA, TL N.O.

Second Respondent

**SOUTH AFRICAN LOCAL GOVERNMENT
BARGAINING COUNCIL (SALGBC)**

Third Respondent

Heard: In Chambers

Delivered: 19 August 2026

**JUDGMENT: APPLICATION FOR RE-ENROLMENT
(APPLICATION FOR LEAVE TO APPEAL)**

MAKHURA, J

- [1] This is an application for the re-enrolment of an application for leave to appeal that was struck from the roll on 16 July 2026 due to non-compliance with Rule 67(2), (4) and (5) of the Rules of this Court.
- [2] The application provides an explanation only for the non-compliance with Rule 67(2) and (4). The applicants appear to have conflated the concepts of filing and service of the application on the Judge's Secretary. The Rules require that the application first be served on the Judge's Secretary before it is filed with the Registrar. No explanation has, however, been furnished for the applicants' non-compliance with Rule 67(5).
- [3] Notwithstanding these shortcomings and in the interests of justice and finality, I have decided to exercise my discretion and re-enrol the application. In doing so, I have taken into account that the applicants may still wish to pursue the matter and that their noncompliance appears to stem from their representative's failure to properly understand and adhere to this Court's Rules.
- [4] In the premises, the following order is made:

Order

1. The application for leave to appeal is re-enrolled.
2. The applicants are directed to file their written submissions within 10 days of this judgment.

M. Makhura

Judge of the Labour Court of South Africa