



IN THE LABOUR COURT OF SOUTH AFRICA, CAPE TOWN

Not Reportable

Case no: C06/18

In the leave to appeal of the Judgment

In the matter between:

MQONDISI NGADLELA

Applicant

and

THE GENERAL PUBLIC SERVICE SECTOR

BARGAINING COUNCIL

First Respondent

DP VAN TONDER N.O.

Second Respondent

MINISTER OF AGRICULTURE, FORESTRY

AND FISHERIES

Third Respondent

DIRECTOR GENERAL OF THE DEPARTMENT

OF AGRICULTURE, FORESTRY AND FISHERIES

Fourth Respondent

CEBA MTOBI

Fifth Respondent

Delivered: July 5 2021 by means of scanned email

RULING

RABKIN-NAICKER J

- [1] The applicant has applied for leave to appeal against my judgment of 8 April 2021 in which I dismissed applications to review condonation and rescission rulings, which were made under the auspices of the First Respondent, with no order as to costs. The State Attorney has not filed any opposition to this application.
- [2] I have noted the applicant's grounds of review, in which were included his displeasure with certain remarks made by the Court in its judgment, which he found to be irrelevant to his application.
- [3] The said remarks were made in relation to the question as to whether costs should be awarded against him, and on the assumption that given the professionalism of his papers, he may have been assisted by an attorney who was not on record. In the event, the Court did not make any order as to costs, and the Court did not intend any disrespect by the comments it made.
- [4] I have considered the applicant's substantive grounds of review in respect of the Judgment and revisited my Judgment in order to consider these. Having done so, I am of the view that there are no reasonable prospects of success on appeal. In the circumstances, I make the following Order:

Order

The application for leave to appeal is dismissed.



H.Rabkin-Naicker

Judge of the Labour Court

Representation on the papers

Applicant: In person

Third, Fourth and Fifth Respondents: State Attorney

LABOUR COURT