

SOUTH AFRICA / JUDGMENT

Boshomane v Milpark Education and Others (Application for Leave to Appeal) (J1027/24) [2025] ZALCJHB 300 (15 July 2025)

[2025] ZALCJHB 300

COURT

Labour Court Johannesburg

BEFORE

W. Kruger

CASE / FILE NUMBER

J1027/24

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THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

Not Reportable

Case no: J 1027/24

In the matter between:

LESIBA JOHANNES BOSHOMANE

Applicant

and

MILPARK EDUCATION

First Respondent

PIET VAN STADEN

Second Respondent

COMMISSION FOR CONCILIATION MEDIATION AND

ARBITRATION

Third Respondent

Decided: In Chambers

Delivered: 15 July 2025

JUDGMENT – APPLICATION FOR LEAVE TO APPEAL

KRUGER, AJ

Introduction

- [1] On 20 April 2025 this Court handed down judgment in terms of which this Court found that it did not have the jurisdiction to adjudicate perjury disputes and that the Applicant must refer this dispute to the Department of Public Prosecutions. The Applicant filed an application for leave to appeal against the whole judgment and order of this Court.
- [2] The application for leave to appeal was filed on 6 June 2025. This is not in compliance with Rule 67 (2) of the Rules Regulating the Conduct of the Proceedings of the Labour Court. In terms of the rules the application for leave to appeal must be filed within 15 days from the date of the judgement.
- [3] The Applicant did not bring an application for condonation for the late filing of his application for leave to appeal.
- [4] Without a proper condonation application this court does not have the jurisdiction to consider the application.
- [5] In the result the following order is made:

Order

1. The Court does not have the jurisdiction to consider the application for leave to appeal without a proper application for condonation;
2. The application for leave to appeal is removed from the roll.

W. Kruger

Acting Judge of the Labour Court of South Africa

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