

SOUTH AFRICA / JUDGMENT

Moloi and Others v Road Traffic Management Corporation (JS966/18) [2020] ZALCJHB 207 (18 August 2020) [2020] ZALCJHB 207

COURT

Labour Court Johannesburg

BEFORE

F Coetzee

CASE / FILE NUMBER

JS966/18

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IN

THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

Not Reportable

Case no: JS966/18

In

the matter between:

TEBOGO
MOLOI & OTHERS First
Applicant
and
ROAD
TRAFFIC MANAGEMENT CORPORATION
Respondent

Heard:

18 August 2020

Delivered:

This judgment was handed down electronically by circulation to the parties' representatives by email and release to SAFLII. The date for hand-down is deemed to be 18 August 2020.

JUDGMENT

COETZEE, AJ

[1] The applicant's approach scored for default

judgement.

[2] I only pursue a case against the Road Traffic Management Operation. The case against the Department of Community Safety and its MEC has been withdrawn.

[3] In short, they were attending college training when they were called away and the training stopped.

[4] The relief that they ask depends upon who their employer was.

[5] I make the allegation that the college was managed by the Department where after the management thereof was transferred to the RTMC.

[6] In their statement of case I rely upon contracts of employment. An example of those contracts is attached to the papers. There can be no doubt that the employment contract was between the government of the Republic of South Africa represented by the Department of Community Safety, Gauteng Provincial Government and the applicants.

[7] There is no clear evidence that the applicants were employed by RTMC.

[8] The application for default judgement is dismissed in the absence of an employment relationship between the applicants and the RTMC.

Order

[9] I make the following order:

1. The application for default judgment is dismissed with no order as to costs.

F. Coetzee

Acting Judge of the Labour Court of South Africa

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CASE PAGE <https://chat.esheria.ai/case-law/south-africa/moloi-and-others-v-road-unknown-topic-alcjhb-2020>

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