
SOUTH AFRICA / JUDGMENT

Ramabulana v Commission for Conciliation, Mediation and Arbitration and Others (JR1190/16) [2017] ZALCJHB 500 (16 October 2017) [2017] ZALCJHB 500

COURT

Labour Court Johannesburg

BEFORE

Moshoana

CASE / FILE NUMBER

JR1190/16

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THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

JUDGMENT

Not Reportable

case no: JR 1190/16

In the matter between:

AVHAPFANI OSLET RAMABULANA

Applicant

and

COMMISSION FOR CONCILIATION MEDIATION

AND ARBITRATION

First Respondent

LAWRENCE NOWESENETZ N.O.

Second Respondent

UNIVERSITY OF SOUTH AFRICA

Third Respondent

Heard: 16 October 2017

REASONS-

DIRECTIVE 16 OCTOBER 2017

MOSHOANA J

Introduction

- [1] The applicant ('Avhaphani Osley Ramabulana'), brought an application for an extension of the time period for the filing of the record for a review application.
- [2] The application was opposed. The Judge President of the Labour Court allocated the file to me for a ruling. Having considered the

reasons

advanced, I ruled that the period be extended by a period of 30 days.

Issues

- [3] For some strange reasons, the third respondent termed my judicial ruling an administrative action and sought to be provided with

reasons.

Evaluation

- [4] It is saddening to note that the third respondent's legal representative, well renowned I must add, could refer to a judicial ruling as an administrative action. I perform judicial functions and not administrative functions. The fact that I made the ruling in chambers does not detract from the fact that I performed judicial functions.
- [5] In terms of Clause 11.2.3, I made a ruling and did not perform an administrative action. The practice manual does not make provisions for providing reasons for a ruling made in terms of Clause 11.2.3.
- [6] In fact, I find the conduct of the practitioner involved in this request to be contemptuous. I shall direct the Registrar to place a copy of these reasons with the relevant law society to investigate this conduct.

Order

- [7] In the premises, I make the following order:
1. There are no reasons to be provided for the ruling;
 2. The Registrar is to place these reasons with the relevant Law Society

Moshwana J

Acting Judge of the Labour Court

Submissions:

For the Applicant:

None

For the Third Respondent: Imraan Mahomed

Instructed by:

Hogan Lovells (South Africa) Inc.

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Prepared on 10 October 2026 · Esheria