

SOUTH AFRICA / JUDGMENT

Tractor and Engineering CC v Ngwenya NO and Others (J6051/00) [2016] ZALCJHB 25 (29 January 2016) [2016] ZALCJHB 25

COURT

Labour Court Johannesburg

BEFORE

Mothibi

CASE / FILE NUMBER

J6051/00

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Source record

THE

LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

Not

Reportable

Case

No J6051/00

In the

matter between:

TRACTOR
AND ENGINEERING
CC
Applicant
and
NGWENYA,
DJ
N.O
First Respondent
COMMISSIONER
FOR CONCILIATION, MEDIATION AND
ARBITRATION
Second Respondent
HADEBE
& 13
OTHERS
Third to Further Respondents

Date:

29 January 2016
Decided
in chambers

JUDGMENT

MOTHIBI, AJ

Introduction:

[1] This is an application for leave to appeal against a judgment that was delivered on 15 January 2015. In that judgment I dismissed the Applicant's review application save for a variation order on the issue of compensation payable to the Third to Further Respondents. There was no order as to costs.

Analysis:

- [2] I have considered the Applicant's submissions as well as the Third to Further Respondents submissions opposing the application for leave to appeal.
- [3] I am satisfied that another Court may come to a different conclusion having regard to the issue of the missing record and the test that was applied in considering the Applicant's review application.

Order:

I. Leave to appeal to the Labour Appeal Court is granted against the judgment delivered on 15 January 2015 under case numbers J605/2000 and J1796/2003.

II. The costs for the application for leave to appeal are reserved and are to be determined by the Labour Appeal Court.

Mothibi, AJ

Acting Judge of the Labour Court of South Africa

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ORIGINAL SOURCE <https://www.saflii.org/za/cases/ZALCJHB/2016/25.html>

CASE PAGE <https://chat.esheria.ai/case-law/south-africa/tractor-and-engineering-cc-v-ngwenya-no-and-others-unknown-topic-alcjhb-2016>

Prepared on 12 October 2026 · Esheria