

IN THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

Not reportable
Case no: JS 857/16

In the matter between:

**PUBLIC SERVANTS ASSOCIATION
OF SOUTH AFRICA obo MEMBERS**

Applicant

and

**MINISTER OF DEFENCE AND MILITARY
VETERANS**

First Respondent

DEPARTMENT OF DEFENCE

Second Respondent

SECRETARY FOR DEFENCE

Third Respondent

**MINISTER OF THE PUBLIC SERVICE
AND ADMINISTRATION**

Fourth Respondent

**DEPARTMENT OF THE PUBLIC SERVICE
AND ADMINISTRATION**

Fifth Respondent

Decided in chambers

Delivered: 04 March 2020

JUDGMENT

MABASO, AJ

- [1] This is an application, by the Respondents, for leave to appeal the judgment of this Court which was delivered on 18 December 2019. The test to apply when considering whether or not to grant leave to appeal is whether there is a reasonable prospect that the Labour Appeal Court may come to a different conclusion to that of this Court.
- [2] I have carefully considered the grounds for leave to appeal and the judgment. I am persuaded that another Court may come to a different conclusion to the one reached by this Court.
- [3] I, therefore make the following order:

Order:

1. The application for leave to appeal is granted.
2. There is no order as to costs.

S Mabaso

Acting Judge of the Labour Court of South Africa